

Oxford Historical Society

VOL. LIII

BRASENOSE COLLEGE
MONOGRAPHS

OXFORD: HORACE HART
PRINTER TO THE UNIVERSITY



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BRASENOSE COLLEGE
QUATERCENTENARY
MONOGRAPHS

VOL. II

PART I

XVITH—XVIIITH CENTURIES

PRINTED FOR THE OXFORD HISTORICAL SOCIETY
AT THE CLARENDON PRESS

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PREFACE

THE second volume of the Monographs is issued more than six months after the first, but well within the year 1909, thus punctually completing the four volumes (two of Register and two of Monographs) with which the Principal and the College respectively have endeavoured to mark the Quatercentenary of Brasenose.

Of the six parts or Monographs (nos. IX–XIV) which compose the present volume, three (nos. X, XI and XII) were completed in time to be noticed in the Preface to the first volume, so that here we need only again tender our best thanks to Mr. R. W. Jeffery, Mr. G. H. Wakeling and Professor Lodge for their generous and timely services to the College. The first Monograph (no. IX) is fortunate in having fallen into the hands of a distinguished barrister, for the ‘Early Years of the College’ were marked as much by processes of law as by statute-making and statute-mending. From Mr. Leadam’s pen we have a first-hand investigation of the circumstances in which the College was built up, both materially and morally. It was undertaken under great pressure of other work, and he is to be congratulated and thanked for bringing it to so satisfactory a conclusion. With respect to no. XIII (the Eighteenth Century), when Mr. Edmundson found that he was quite unable to write it, we

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should have been in real difficulties, but for the most opportune aid of Mr. R. W. Jeffery, who has applied the same system which he employed for the Sixteenth Century to a less stirring and in some ways also a less interesting period. He appears to the Editor to have obtained the best results possible from his material.

It is for the Nineteenth Century, which, as was clearly foreseen, could not be treated as evenly and systematically as the other periods, that the indulgence of readers is specially requested. They will recognize and welcome three first-rate pieces, Mr. Wace's on the College Boating, Mr. Buchan's all too short appreciation of nine 'Brasenose Worthies', and Mr. Jenkinson's original and elaborate study of Eugenics as illustrated from Brasenose records. The first of these does justice to the unique position of Brasenose on the River, and although, as Acting Bursar, the author has had many and onerous claims on his time, he has succeeded in giving an almost exhaustive record of the subject: 'he who does most can do more'.

Mr. Humphry Ward has kindly contributed a short sketch of Brasenose life in the genial reign of Dr. Cradock—'the Chief' on whom all Brasenose men of that time look back with special affection, as can well be understood by those who remember his warm interest in all the pursuits which distinguish the College.

But after these contributions, there remain some grievous gaps. The College had hoped for reminiscences of every decade from the Forties onward, but this was too much to expect. What could not Mr. Brandt have told us of early Cricket, or Mr. Gumbleton of the amateur theatricals for which

the College was so famous? Where too are the histories of the lesser College Clubs, such as the Vampires, the Octagon, the Ingoldsby, the Pater, the Sutton Society? We have to confess that these topics must for the present be looked up in Mr. W. B. Woodgate's racy *Reminiscences*, in Mr. A. C. Plowden's *Grain or Chaff?*, or in that rare treasurehouse of hidden history, the Provost of Worcester's privately printed *Our Memories*, or similar sources; and not in these pages. Let us hope that the College Magazine, the *Brazen Nose*, will help from time to time to make up for the defects of the present volume.

It will not, we trust, escape readers, how usefully the Principal's *Register* fits in with and supplements our more scattered notices of B.N.C. men. It has already helped considerably the preparation of these Monographs.

In conclusion our best thanks are due to the Principal for some much-appreciated help, and to a host of others whose names do not appear in the book itself—chiefly, as with Vol. I, to Mr. Coxhill, of the Bursary, who from start to finish has in no way relaxed his exertions, and who seems to possess a kind of radio-activity which does not burn itself out. The Keeper of the Hope Collection of Engraved Portraits has courteously furnished us with most of the engravings which illustrate Mr. Buchan's Monograph. We are grateful to Mr. H. W. Taunt, who has supplied us with Plate XXIX of Monograph III; also to Messrs. Hills and Saunders for Plate XXVIII of Monograph III and for Plates V–X of Monograph XIV. 1 and Plates XV–XVIII of Monograph XIV. 2. The elaborate and to some extent original

index is the work of Mrs. New and of Miss E. G. Parker, and only those who have done similar work can realize the patience and labour which it has involved. The inevitable toils of editing have been much lightened by the extraordinary 'reserve powers' of the army of compositors, readers, and other officers who owe allegiance to Mr. Horace Hart, the Controller of the Clarendon Press; and who have co-operated with success to bring out the present composite and difficult volume within the appointed time.

F. M.

DECEMBER 21, 1909.

[The present volume is one of a certain number printed off, by arrangement with Brasenose College, for issue to members of the Oxford Historical Society.]

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Early Years of the College

By

I. S. Leadam M.A.

Late Fellow of the College

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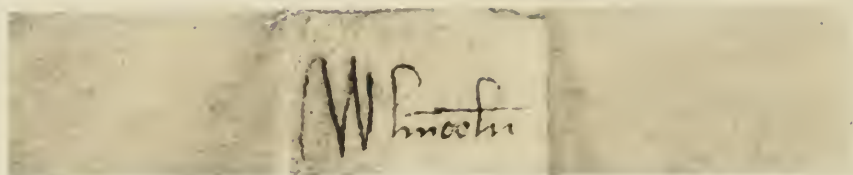
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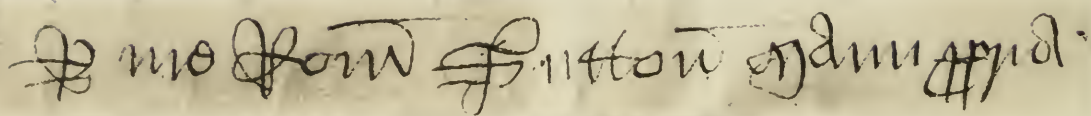
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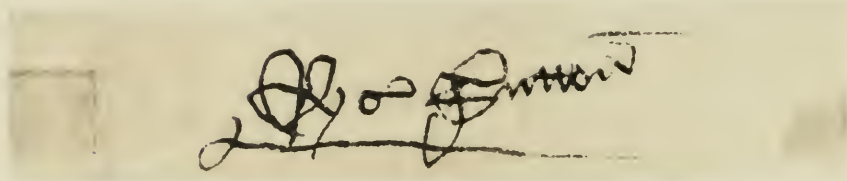
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A rectangular strip of parchment showing a handwritten signature in dark ink. The signature is written in a cursive script, with the first letter 'W' being large and prominent. The name 'Smyth' is clearly legible.

1. Signature of Bishop William Smyth
(Cold Norton deed 41, A.D. 1513)

A rectangular strip of parchment showing a handwritten signature in dark ink. The signature is written in a cursive script, with the first letter 'R' being large and prominent. The name 'Sutton' is clearly legible.

2. Signature of Sir Richard Sutton
(Burrough deed of 1508)

A rectangular strip of parchment showing a handwritten signature in dark ink. The signature is written in a cursive script, with the first letter 'R' being large and prominent. The name 'Sutton' is clearly legible.

3. Signature of Sir R. Sutton from his Will, A.D. 1524

THE EARLY YEARS OF THE COLLEGE

I

The Founders and the Foundation

THE early years of Brasenose College have faded from men's memories. With the exception of the two Founders, the details of whose careers have been disinterred by Churton and others from public archives, the names of those responsible for its early fortunes are names and nothing more.

Their antecedents are, for the most part, unknown; their correspondence has perished. Some thirty years ago,¹ indeed, a bundle of Bishop Smyth's letters was preserved in Westminster Abbey, but these have since vanished from the Munitment Room, having followed the fate of others which had disappeared exactly a century earlier.² All that we know of the private life of the Bishop is contained in a letter to Sir Reginald Bray without date either of time or place, probably belonging to 1503, since he speaks of having 'byn her x yeres', that is, presumably, in Wales, of the Council of which he was a member as early as 1493. That letter, which pathetically regrets the state of his diocese, perforce neglected by him for affairs of State, discloses his temper towards the monastic houses. 'Also', he says, 'gret plases off relygyon bothe off the kyngs fundacyon and other moste be vyset³ for thaye be sore de kayet in dyvyne seruys and other thyngs, and all the parsons and vycares for the moste parte byn absent, and let don⁴ thayre manssyons and thayre chansels.' Such

¹ *Hist. MSS. Comm.* 1874, p. 173. See *Dict. Nat. Biog.*, sub 'Smith, William.'

² R. Churton, *Supplement to the Lives of Bp. Smyth and Sir R. Sutton* (Oxford, 1803), p. 12.

³ Must be visited.

⁴ down.

an indictment of the monasteries, the great appropriators of advowsons, if laid by Henry VIII's commissioners, would be parried by attacks upon their characters. Coming from such an authority and concerning Lincolnshire, in particular, notorious for the number of its religious houses,¹ this letter goes far to explain the resolution of the Bishop, though an unbending conservative, to devote his wealth to the endowment, not of monks but of a place of learning. Into his College no member of the Regular Clergy, even if accredited as his deputy by the Visitor himself, should ever be allowed to intrude², and for a Fellow to join a monastic order was *ipso facto* to vacate his Fellowship.

Bp.
William
Smyth.

William Smyth, successively Bishop of Coventry and Lichfield and of Lincoln, Lord President of the Council of the Marches of Wales, and Founder of Brasenose College was, according to Churton, fourth son of Robert Smyth, of Peelhouse, in the parish of Prescott, Lancashire. His grandfather, Henry Smyth, was a country squire, seated at Cuerdley. The date of his birth and the place of his education are alike unknown. Churton conjectures, partly from the association of one Hugh Smyth with Lord Strange, son of the first earl of Derby, more forcibly from the patronage early bestowed upon the Founder by the earl's second wife, Margaret, Countess of Richmond, mother of Henry VII, that he was brought up at a school in which were educated 'certayn young gentlemen at her findying'. This conjecture is strengthened by the certainty that as a young man Smyth enjoyed exceptional favour in high places. There is room for much doubt whether he can have been, as Anthony Wood suggests, a commoner of Lincoln College in 1478. It is known that he was a Bachelor of Law in 1485, when, within a month of Henry VII's accession, he was appointed to the lucrative office of Clerk of the Hanaper in Chancery. But, according to Dr. Rashdall, M.A. candidates for the degree of B.C.L. were compelled to submit to four years' study, making

¹ 'Lincolnshire had a monastery to every 53 square miles.' C. H. Pearson, *Historical Maps of England* (1870), p. 61.

² Statutes, pp. 30, 39.

a total of eleven years from the date of their admission to the University. Assuming the degree of B.C.L. to have been conferred on Smyth as late as 1485, he would have taken his Master's degree in 1481 and his Bachelor of Arts degree in 1477.¹ If, indeed, he proceeded to the degree of B.C.L. without first becoming a Master, his course of study would be six years from his B.A. degree, which would then date back to 1479, a very close margin on the most favourable hypothesis. Nor was he likely to have become, within eight years of being an undergraduate, as he did, as early as 1486, a member of the King's Council. Further, in the letter from which a quotation has been made, which cannot well have been written later than 1503, the Bishop says, 'nowe I myselff beyng olde and full of sekenes and ache in my bones,' &c. Men, it is true, aged fast in those days, but if he were eighteen in 1478, he would be only forty-three in 1503, and scarcely likely to insist so strongly on senility and decay. Nor did any connexion exist between Lincoln College and Lancashire. The suggestion appears to have sprung from the identity of the names and from the subsequent benefactions of the Bishop to Lincoln College, of which he was official Visitor. But he was a benefactor of Oriel, being there also Visitor, and Fuller's eulogy of him is justified that 'this man wheresoever he went may be followed by the perfume of charity he left behind him'. He belonged to a well-to-do family and his provision for commoners in his College suggests that he may once have been in such a position himself. There was place for such in some of the older Colleges, but their academic dwelling was more often in one of the numerous halls. Among these Brasenose Hall enjoyed the distinction of being the only one not dependent upon a Collegiate foundation. It had a Northern connexion, and it may be that Smyth's selection of it for transformation into a College was prompted by affection for the home of his youthful years.

It is unnecessary to recapitulate at length, since they are to be found in the pages of Churton and of the *Dictionary of*

¹ See H. Rashdall, *Universities of Europe in the Middle Ages*, ii. 454-6.

National Biography, the rapid succession of the preferments which poured upon Smyth after the accession of Henry VII to the throne. The part of the country from which he came was notably well-affected to the House of Lancaster, and it is possible that he or his family had, in some conspicuous way, exhibited loyalty to that dynasty. A favourite with the King's mother, he was in 1492, with Bishop Foxe, the Founder of Corpus, and Sir Elias Dawbeney, made a co-feeoffee to the uses of her will. As dean of the royal chapel of St. Stephen's, Westminster, he must have been constantly in touch with the King. In 1493 he was made Bishop of Coventry and Lichfield. In the same year he was appointed a member of Prince Arthur's Council in the Marches of Wales. While Bishop of Lichfield, he converted a ruinous house of Friars, known as the hospital of St. John, into an alms-house and grammar school, endowed by him, which still survive. In 1496 he was nominated Bishop of Lincoln, in which diocese Oxford was then situate, and four years later he was elected Chancellor of the University, an office he resigned in 1503.

After the death of Arthur, Prince of Wales, in 1502, Smyth became less absorbed in the government of Wales. 'The year 1507', says Churton, 'forms a kind of epoch in his life. In the course of this year he founded a Fellowship in Oriel College; he established a School in his native parish; he prepared a handsome benefaction for Lincoln College, and projected the endowment of a new and permanent College of his own.'¹ His gifts to Lincoln College consisted of the manors of Bushbery or Elston² in Staffordshire and of Sencleres in Chalgrove in Oxfordshire, a total area of 520 acres. A Fellow of Lincoln, Robert Parkinson, writing about 1570, after recording these examples of the Bishop's generosity, adds: 'Proposuerat, ut ferunt, omnia nostro Collegio praestitisse quae postea in Brasinnos egit, si voluissent Rector et Socii qui tum fuerunt ab eo propositas condiciones recipere.'³ Churton, who repeats this story from Wood, rejects it with

¹ *Lives*, p. 231.

² Also spelt Ailleston. Churton, *Lives*, p. 238.

³ A. Clark, *College Histories*, Lincoln (1898), p. 33.

some warmth. What is more to the point, he shows that, whereas the conveyance to Lincoln is dated 24 October, 24 Henry VII (1508), the intention of the Bishop to build Brasenose College was mentioned by Edmund Croston, who died in Brasenose Hall, in his will dated 27 January 150 $\frac{7}{8}$, that is, nine months earlier. The story may, therefore, be dismissed as a tradition of disappointed expectations.

No record remains of the circumstances under which the Bishop was first brought into contact with Sutton. But there is one fact which suggests the possibility that the two were undergraduates together at Brasenose Hall. As Mr. Madan has noted,¹ William Sutton, M.A., was Principal of the Hall from 1465 to 1483, or longer. Churton conjectures that the arms borne by Sir Richard Sutton, which appear in the Divinity School, were those of the Principal of the Hall, and that the two were related. If that were so, though there is no record that Sir Richard was bred at Oxford, it is not unlikely that, if he were, he would, as a Northerner and a Sutton, make choice of the Hall of which his kinsman was the head. He was by no means a young man in 1508, and may quite possibly have been a contemporary of Bishop Smyth.

All that is known of the early life of Sir Richard Sutton is that he was the younger son of Sir William Sutton, knight, and was probably born at the family seat of Sutton, in the parish of Presbury, Cheshire. He was a barrister of the Inner Temple and is supposed to have acquired a fortune at the Bar. In 1490 he bought an estate at Somerby, in Leicestershire, with which county his family was connected, his father being Master of the well-endowed Foundation of Burton Lazars in Leicestershire, and having been succeeded in that post by another of the same name. He became legal assessor to the Privy Council in 1498,² sitting in that capacity as a judge in the Court of Requests. He doubtless increased his fortune by the lucrative office of steward of the wealthy nunnery of Sion, and was currently distinguished from others

*Sir
Richard
Sutton.*

¹ Monograph I, p. 15.

² *Selected Cases in the Court of Requests* (Selden Society, 1898), p. ciii.

of the same name as 'Sutton the Steward of Sion'.¹ This association with a religious house probably coloured his views, there being reason to believe, as will hereafter be seen that, more strongly than Bishop Smyth, he was unfavourable to the New Learning and the downfall of the monastic system which it foreshadowed. In honour of the house of Sion, where he lived, he caused to be published, at his own cost, as the colophon declares, 'the reuelacyons of seynt Katheryne of Sene' in 1519, 'a most superb and curious specimen of ancient English typography,' by Wynkyn de Worde. He was, in short, one of a not unfamiliar pattern, a clerical layman. The only authentic portrait of him is at prayer.² It was, perhaps, his subserviency to ecclesiasticism which accounts for his passive acquiescence in the Bishop's autocratic exclusion of him from intervention in the statutes for the government of the College. The function assigned by the Bishop to Sutton was that of man of business. But he enjoys a special claim to distinction in that he was the first lay Founder of a College.

*Brasenose
founded.*

Mr. Madan has already described the Halls out of which the College eventually emerged. The core of the whole was Brasenose Hall, situate upon the site of the Schools Street Tower. Of this Hall and Little University Hall, Sutton, on October 20, 1508, obtained a lease from University College for the term of ninety-two years at the annual rent of three pounds. A covenant was added that, within the space of a year, £40 should be expended upon buildings or repairs. This covenant suggests that University College was doubtful, perhaps on account of the age of the two Founders, whether the work would be carried through. It is an echo of the doubt expressed in Edmund Croston's will, to which reference has already been made, his bequest being of £6 13s. 4d. towards 'the building of Brasynnose in Oxford, if such works as the Bishop of Lincoln and Master Sotton intended there, went on during their life, or within twelve years after'.³ In other respects, the terms agreed to by University College were

¹ The Duke of Norfolk to Cromwell, July 20, 1537, *L. and P. Henry VIII*, XII. ii. 291.

² See Monograph VII, p. 10.

³ Churton, *Lives*, p. 242.

singularly generous. It not only engaged to renew the lease at the expiration of the term, but for a conveyance to it of lands to the value of £3 a year to release all right to the premises. This last condition, according to Churton, was fulfilled at the beginning of the seventeenth century, when William Leech, a former Fellow of Brasenose, bequeathed land for that purpose.¹

The lessees from University College did not include the Bishop, though two of them at least, John Forneby and Roland Messynger, were his nominees, seeing that, a few years afterwards, they received preferments from him. They were 'Richard Sutton Esquire, John Port, Rauf Legh, John Sutton the elder, John Sutton the younger, gentlemen; Mr. John Haster, John Forneby, Roland Messynger, and John Legh, clerks'. By a deed dated June 1, 3 Henry VIII (1511), Sutton assigned the lease to trustees to the use of his will. It was not until shortly before his death, on May 6, 15 Henry VIII (1523), that he conveyed the premises for the rest of the term to the Principal and Fellows of Brasenose College.²

In this way Brasenose Hall was taken over, to use a modern phrase, 'as a going concern' by Sutton. Its Principal, John Forneby, Croston's successor, had cautioned for it with the University on September 9, 1508, and was still Principal on June 27, 1510. On August 24 of that year he resigned, and his successor, Matthew Smyth, a Fellow of Oriel, became last Principal of Brasenose Hall and first Principal of Brasenose College, the Charter being dated January 15, 151½. An academic as well as a topographical continuity is thereby maintained since the thirteenth century. It has been a constant tradition that Principal Smyth was related to the Bishop, and it is known that he was born in Lancashire. He belonged to a younger generation, having taken his Bachelor's degree in 1505 and been elected a Fellow of Oriel in 1506. He was, therefore, quite a young man when the Bishop placed him at the head of his College. He was certainly an active man

¹ Churton, *Lives*, p. 272.

² *Ibid.*, p. 271.

of business, and having steered the College through some of the stormiest days of the Reformation, he died in 1548. He justified the Bishop's selection, but the Bishop was notorious for nepotism, and it is not improbable that to this disposition the Principal owed his preferment in the first instance.

From the inscription on the well-known stone over the doorway to the staircase leading to the original chapel, reproduced in Monograph III, the building of the College is generally taken to have been begun in the summer of 1509. Churton raises, without solving, the question whether that stone is a duplicate of a stone actually laid as a foundation, or attests that at the time of its emplacement the building had risen seven feet. If Bishop Smyth's epitaph, 'Aulaque sumptu hujus renovata est enea,' were literally pressed the former of these two alternatives would be improbable. It is more likely that the opportunity was seized, when the new part of the building had so far progressed, to commemorate a visit of the Founder in this manner, and that the building should progress rapidly was implied in the covenant entered into by Sutton.¹

Exactly four months after the acquisition of Brasenose and Little University Halls, including those dependent Halls of which the history is to be found in Mr. Madan's monograph, Sutton and the others already named acquired by purchase from Oriel College Salesury² Hall and St. Mary's Entry, the last probably an open passage with a tenement over it which was an Academic Hall.³ The area covered by

¹ This hypothesis solves a difficulty as to the provenance of the stone. The lease of the quarry at Headington to Bp. Smyth and Richard Sutton esquire is dated the Tuesday before St. John Baptist, i.e. June 18, 1 Henry VIII (1509), but Sutton had covenanted on October 20, 1508, to expend £40 within a year. Is it to be inferred that during the intervening seven months no stone had been obtained for building? This is highly improbable. Plot repeats on tradition that Brasenose was built with stone dug near Wheatley, on the Worcester Road (*Oxfordshire*, iv. § 27, p. 77; Churton, p. 273 n.). If that tradition can be trusted, the supply from Headington was after the building had made some progress, and it is obvious that a foundation stone could scarcely have been laid on June 1, of stone not obtained till June 18!

² Also spelt Salesurry, Salisyrry, &c. See p. 133 n. 1 *infra*.

³ Churton, *Lives*, p. 275 n. Wood's *City of Oxford*, O. H. S., xv. 86.

these, which fronted to Schools Street, is shown on the map of the site in Monograph I. Shortly afterwards Haberdasher's Hall, also to be found on that map, was acquired from the Abbey of Osney by an exchange of land. This Hall was situate a little to the westward, facing the High Street. The corner of the High Street and Schools Street was occupied by a house, and by a garden, which had in the fifteenth century belonged to the convent of Godstow, between it and Little St. Edmund Hall. That Hall was taken on lease from the Abbey of Osney. Two more Halls, on the site of Radcliffe Square, then on the other side of Schools Street, were also rented by Sutton from the Abbey on a ninety-six years' renewable lease. They were known as Black Hall and Glass or Glasyn Hall. The rent of Little St. Edmund Hall, Black Hall and Glasyn Hall, taken together, is yearly entered in the Bursars' Rolls at 33s. 4*d.*, i.e. five nobles. Staple Hall belonged to Lincoln College, from which it was obtained by Brasenose on a perpetual lease at 20s. rent a year, on November 2, 1556. The garden mentioned was purchased by John Port, Anthony Fitzherbert, serjeant-at-law, and Thomas Port, Matthew Smyth, and William Aleyn, clerks, on July 4, 1516, from Anthony Caryswall, clerk. In 1516 it was transferred by Port to the College.¹ In this way the site for the College was gradually acquired.

II

The Charter of Foundation

It will have been observed that the new building of Smyth and Sutton must have made considerable progress before the Founders obtained a charter. Had they failed to do so, there could not have been a corporation of Fellows licensed to hold land in mortmain, nor was the position of Principal of a Hall, under compulsion to obtain an annual permit from the University, that of a corporation sole. The restoration, extension, and endowment of Brasenose Hall would have left it exposed

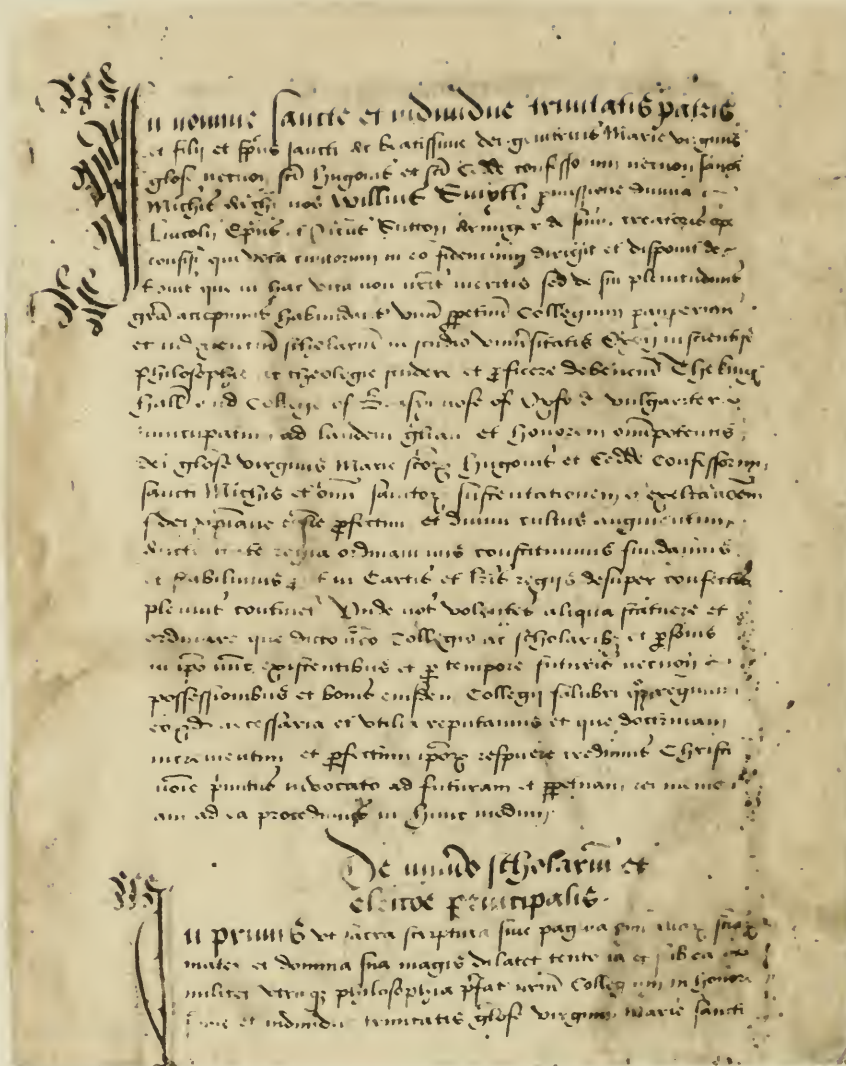
¹ Monograph IV, p. 10.

to the alienation or misappropriations of subsequent Principals, unless the cumbrous system of feoffees to uses had been resorted to, and these would scarcely have been able to evade the statutes of Mortmain. Yet from January 27, 1508, when we first hear, in Edmund Croston's will, of the projected 'building'—which may mean, rebuilding—'of Brazennose in Oxford', until January 15, 1512, when the Charter was granted, a period of four years elapsed. It may be that the difficulties attendant upon the purchase of the Cold Norton Priory estate had caused the Founders to hesitate. It may be that their original intention, as the Bishop's epitaph suggests, had been the restoration of the Hall, and that with the progress of it a larger scheme had unfolded itself. It can scarcely be that the four years were consumed in needless official delays.

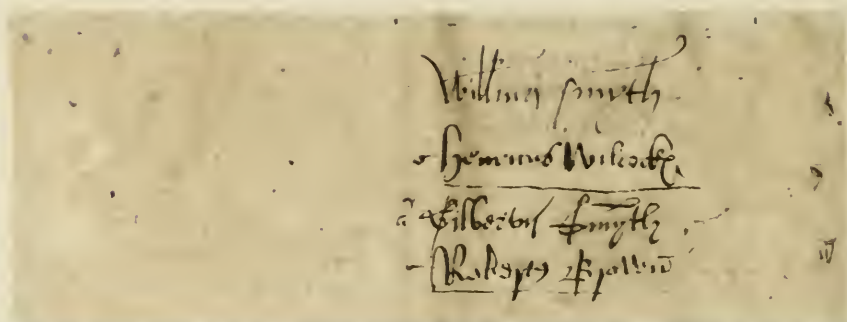
The Charter, dated at Westminster on the 15th January, 3 Henry VIII (1512), and duly enrolled in Chancery,¹ opens with a rhetorical preamble as to the conviction entertained by the king of the benefits accruing to the realm from the study of sophistry, logic, and philosophy as ancillary to theology. It then proceeds, in the customary official form, to grant to William, bishop of Lincoln, and Richard Sutton, esquire, jointly and severally, their heirs, executors and assigns, licence to found anew ('*de novo fundare*') 'a College of and in a messuage, hospice or tenement in the University of Oxford now commonly called Brasen Nose, to the praise, glory and honour of Almighty God, and of the Blessed Virgin Mary.' The College is to consist of a Principal and sixty Scholars and more, to be instructed in the branches of learning already recited. In its corporate capacity it is to use '*nomen Principalis et Scholarium Aulae Regiae et Collegii de Brasen Nose in Oxonia*',² which in the Statutes is Englished, 'The King's Haule and College of Brasennose.' They are to be

¹ Patent Rolls, 3 Henry VIII, pt. 3, confirmed by Edward VI, P.R. 1 pt. 2. 7.

² I have only once found '*Eneus Nasus*', and that used, not by Brasenose, but by New College. In the '*Valor Ecclesiasticus*' of 1535, under New College, is '*Redditu resolutu Aule Enei Nasi*'. The adoption of the Latin rendering of the original style of the College savours of Jacobean pedantry. *Val. Eccl.* (6 vols., 1814), ii. 256.



1. The first page of the Second Statutes (reduced)



2. The signatures at end of the Second Statutes

governed by ordinances to be made by the Bishop and Sutton, or by either of them. They are to pray for the good estate of the King and of Queen Katherine, as well as of the Bishop and Sutton during their lives, and after their deaths for their souls and for the souls of all faithful departed. They are to be at liberty to obtain from the Pope any Bulls of confirmation or otherwise, and for that purpose are to be dispensed from the Statute of Provisors and its penalties. They are to be a perpetual corporation with a Common Seal, with capacity to acquire and hold lands, tenements, rents, reversions, services, profits, advowsons, and other hereditaments, temporal and spiritual, and to prosecute and defend suits. The Bishop and Richard Sutton or any other persons are empowered to hand over to them the Hall or College when built and land or other endowments, including Priories and advowsons, to the clear annual value of £300, the statutes of Mortmain notwithstanding, without any fee payable to the Hanaper.¹

III

The Statutes

The Statutes originally drafted for the College, in accordance with the power conferred in the Charter, by Bishop Smyth himself, as he tells us in his will, have not been preserved. It is singular that, although associated with an expert lawyer, such as Sutton was, the Bishop regarded the statutes as his own peculiar province. In his will he expresses his sense of the probable need of their occasional amendment, and commits to his executors, not to his co-Founder, the task of their revision. The opinion of the majority was to be final, and the decision of the survivor² was to be without appeal. After their deaths the right of exegesis was to pass to the Bishops of Lincoln.

¹ An office in Chancery, so called from the round wicker case ('hamper') in which the enrolled documents were kept.

² This was Gilbert Smyth, as we learn from Bawdwyne Smythe's petition to the Star Chamber in *R. O. MS., Star Ch. Proc. Henry VIII*, Bundle 19, no. 213. He remained Archdeacon of Northampton until 1548, when he resigned. Le Neve, *Fasti* (1854), ii. 58.

To what is this pointed exclusion of Sutton, even after the Bishop's own death and contrary to the express terms of the Charter, to be ascribed? The Bishop's will is dated December 26, 1513, five years after the Charter. His action is strongly suggestive of a difference of opinion with Sutton upon some point vital to the College. May it not be suspected that this was connected with Sutton's partiality for the Regular clergy, whom Smyth was determined to exclude? Had the members of a religious order obtained a foothold in the College, the Bishop's scheme of a learned secular clergy would have been extinguished. It is also not improbable that Sutton's abstinence, so far, from adding to the Bishop's endowments, may have inspired his co-Founder with distrust.

Of the Bishop's six executors, four were in orders as secular clergy, William Smyth, Archdeacon of Lincoln, and Gilbert Smyth, Archdeacon of Northampton, two of his nephews; Henry Wilcocks, LL.D., Chancellor and Vicar-General of Lincoln; Robert Toney, LL.B., a canon of Lincoln. The other two were Thomas Smyth of Chester, merchant,¹ presumably a relative, and Robert Browne of Newark, the Bishop's Receiver-General, unlikely persons to offer opposition to the majority. Of these, William and Gilbert Smyth, Wilcocks, and Browne signed and sealed the earliest extant copy of the Statutes. It is inferred by Churton from the 'obviously incongruous and unconnected' series of the chapters that no very material alterations were made by them, a conclusion the opposite of which the fact adduced would seem to warrant.

In the Bursars' Roll for 1521-2 occurs the following entry (A. f. 18):

'Et solutum eciam dicto magistro principali pro expensis suis equitandi ad visitandum terras Collegii diuersis locis + + Kancie et Lincoln et apud Coldnorton et ad forsthull pro possessione habenda aceciam ad Syon pro + Col(legii) + reformand. vt similiter per billam apparet et coram Sociis examinatum xlvij^s x^d.

This entry contains more than one noteworthy item. In 1519 the manor of Genyns Court in Kent had been bought, and in

¹ Afterwards knighted.

1520 the land at Forest Hill, in Oxfordshire. But the College had as yet no estate in Lincolnshire. The progress of the Principal to that county may perhaps have been upon the business of a large benefaction which Bishop Smyth's nephew, William Smyth, Archdeacon of Lincoln, in the year 1524, conferred upon the College. This consisted of the two manors of Sutton and Wynthorpe, together with land at Skegness and Burgh, bringing in, according to the Valor of 1547, a net yearly rent of £21 15s. 8d.¹ But the item of most interest is that, unhappily mutilated, recording Principal Matthew Smyth's journey to Sion, which may perhaps be conjecturally extended 'pro statutis Collegii nostri reformandis'. This refers to the third edition of the Statutes, printed in 1853, that is, the amendment by Sir Richard Sutton of the revised version approved by the Bishop's executors. The Statutes, appropriately to their origin, begin with an invocation to the Trinity, the Virgin, Saint Hugh and Saint Chad, and St. Michael the Archangel. Saint Hugh was the patron saint of Lincoln and St. Chad of Lichfield, the Bishop's first see. The recital runs that the Bishop and Richard Sutton Esquire, with the king's authority, are the founders of a perpetual college of poor and indigent scholars for the study of the sciences of philosophy and theology, for the sustentation and exaltation of the Christian Faith, the profit of the Church, and the increase of divine worship. The charter of Foundation, it will be remembered, is somewhat more explicit as to its objects, which are therein set down as sophistry, logic, philosophy, and, above all, theology. For all of these provision is made in the Statutes.

The first chapter² constitutes a College of a Principal and

¹ This is the net sum total stated in the Valor, but the Bursars' Rolls for 1545-6 give £26 4s. 6d. If, however, the 'reprise' or necessary deductions, as set out in the Valor, viz. £4 8s. 8d., are subtracted from £26 4s. 6d., the net amount remaining is £21 15s. 10d. The system in the Rolls is to set out the gross amounts under the receipts ('Onerantur Bursarii') and deduct outgoings under 'Allocaciones'.

² The order in which the Statutes are taken is not that printed in 1853, but, as nearly as possible, that of the MS. book in possession of the College containing the Statutes as revised by Bishop Smyth's executors. The printed edition of 1853 is that of the Statutes as finally revised by Sutton.

twelve 'Scholars', students of the above sciences, the more precise designation of 'Scholar-Fellows' being substituted in Sutton's revision. They are to be natives of the diocese of Coventry and Lichfield, with a preference to those born in Lancashire and Cheshire, especially in Prescot in Lancashire and Presbury in Cheshire. An election after examination is implied in the proviso that they are to be ascertained to be fit persons in morals and knowledge. If a sufficient number of good candidates could not, at the time of the first election, be found in the University of Oxford, the number was to be made up by natives of the diocese of Lincoln, should there be any suitable; failing these, choice was to be made of the ablest to be found within the University. An addition to the prescribed number of twelve, evidently inserted after the completion of the original draft, was made at the instance of Edmund Audeley, Bishop of Salisbury. Two Masters or Bachelors of Arts of the dioceses of Salisbury or Hereford were to be elected Fellows. But this proposed benefaction never came into effect, and the clause was struck out by Sutton. The Founders take the opportunity of adding anticipatory thanks for additions to the endowments of the College, whether for the benefit of the Scholar-Fellow or of those who were not Fellows. By the Statutes of Sutton scholars were to wear surplices in chapel.

The Principal was to be a Doctor or Bachelor of Divinity or, at least, a Master of Arts studying theology. He was to live in the College. His election was to be approved by the Bishop of Lincoln or, if the see should be vacant, by the official in charge of the spiritualities. Sutton's approval is tacitly dispensed with.

Within two days of a vacancy in the headship, all the resident Fellows were to be summoned by the senior Fellow to fix the day for the election of a new Principal. Twelve days were to be allowed for the return of absent Fellows, who were to be duly warned. Contumacious absence was to be punished by deprivation, a clause struck out by Sutton. After the celebration of a mass of the Holy Ghost, the seven senior Fellows, including the Vice-Principal, were sworn to an impartial choice

of a present or former Fellow. The voting papers were to be written and sealed. In case of an equal division, the senior votes were to carry the election. No Fellow might vote for himself. A letter under the College seal, conveyed by one of the senior Fellows, was to report the election to the Bishop of Lincoln. A long oath, somewhat shortened by Sutton, was to be taken by the new Principal to maintain the privileges and properties of the College, with the advice and consent of the six senior Fellows or the majority of them. In case of difficulty in maintaining discipline, he was to swear to call in the Bishops of Lincoln as referees. He was to swear not, while Principal, to act as Proctor of the University, nor to seek nor accept any dispensation from his obligations, nor to appeal to any court if expelled from office.

The election of the Vice-Principal, which was to be annual, was to be conducted by the Principal and the six Seniors, and was fenced round with similar oaths and regulations. Much of this matter was struck out by Sutton as superfluous, while clauses were inserted providing that the Vice-Principal should live in College and supply the place of the Principal in his absence. He was to supervise the discipline of all, whether Fellows, undergraduates (*non Socii*), or servants, but Sutton excluded from his jurisdiction Masters of Arts, the minor faults of the 'Lector's' pupils, and cases of expulsion. By the revised statute of Sutton the Principal and two senior Fellows were to act as a court of appeal from his sentences. His stipend was fixed at 20*s.* by the original statutes, and increased by Sutton to 26*s.* 8*d.* a year in addition to his commons and other emoluments.

Fellows, who were to be, at least, Bachelors of Arts, were to be elected by the Principal and the six Seniors in term time after fifteen days' notice. Sutton lengthened this to a notice of forty days, to begin in full term. The general practice of other Colleges up to that time had been, as Churton notes, an annual election, University College being, in this respect, exceptional and affording a precedent which commended itself as more convenient for a small Foundation. In place of a simple provision that no candidate was eligible for a Fellow-

ship who was in enjoyment of a net income of £4 a year, Sutton introduced a declaration of eligibility on the score of income to be made by the candidate and a further oath that, in the event of suffering expulsion, he would make no appeal to any tribunal. Sutton also made provision for a year of probation to be spent by the newly-elected Fellow in College, during which he was to have no voice in its government, a system that continued down to the writer's own day. The oath taken by the probationer, when admitted a full Fellow, was amplified by Sutton by a declaration that he would accept no other statutes save such as were approved or hereafter should be approved by Bishop Smyth or himself, a curious provision to have been made some years after the Bishop's death. A prescription, maintained till the first Universities Commission, enjoined that the Fellow's oath should be copied out, sealed, and signed by the Fellow himself and deposited among the archives of the College. Many of these yet remain.

One chapter is devoted to the removal of Fellows. Any income or ecclesiastical preferment exceeding ten marks net (£6 13s. 4d.) or a perpetual curacy or chantry outside the University, whatever might be the value, was to be a cause of forfeiture. But that the Fellows might be the better able to buy books and furnish themselves with necessities, such preferments, up to ten marks in value, were to be tolerated if within the precincts of the University. A Fellow receiving ecclesiastical promotion in excess of these limits was by way of valediction to receive a year's commons and other emoluments, Sutton deleting a proviso of the original statutes that during this 'year of grace' the cleric preferred was no longer to act as a Fellow. Other grounds of vacating Fellowships were entering into religion, i.e. joining a monastic order, marriage—which implies that a Fellow needed not to be in orders at the time of election—the abandonment of study in the College, or removal to another society; also crime and scandalous or quarrelsome behaviour. An extraordinary retention of an obsolete system of trial is the provision for a compurgation with two other Fellows where there was a case

of suspicion only. This was a practice of the Canon Law, in cases where, as in the contemplation of this statute, there was no definite charge. But in the lay courts this procedure of the ecclesiastical courts had been treated with contempt as long before as the reign of Edward I, and even the Canon Law was beginning to look on it with disfavour as apt to encourage perjury. Compurgators swore, not to the defendant's case, but to their belief in its truth. It still survived in the manorial courts, where the number of compurgators varied between two and five;¹ it lingered, in a modified form, in the Common Law, but its introduction into statutes of this date is an anachronism. Sutton, whose clericalism was evidently more thoroughgoing than the Bishop's, was so far from feeling this, that he imported from the similar provisions of Bishop Smyth touching scholars a clause that failure to compurgate should involve expulsion. Constant misconduct was to be visited at first by private reproof from the Principal or Vice-Principal; next, by a more public reproof before two or three of the Fellows; thirdly, before the whole of the Governing Body, and finally by ejection. Sutton added contagious disease, such as leprosy, as a ground of expulsion, the ejected Fellow to be allowed a pension of 40s. a year conditional upon absence from the College. A member of the College not being a Fellow was to receive, under such circumstances, an annual stipend of 26s. 8d.

Nor was the Principal himself exempt from statutory terrors. Scandalous behaviour or maladministration were to be visited by deprivation, adjudged, upon a sworn declaration by the Vice-Principal and five senior Fellows, by the Bishop of Lincoln, under conditions set out in the chapter defining the visitatorial powers.

After the chapter providing for his ejection comes, oddly enough, the chapter prescribing the Principal's duties. Litigation was to be conducted not in his own name, for obvious reasons, but, as the Charter prescribed, in the name of the Principal and Scholars of the King's Hall and College of

¹ P. and M., i. 426; W. S. Holdsworth, *Hist. of Engl. Law* (1903), i. 138.

Brasenose. In the statutes as revised by Bishop Smyth's executors, no contentious business of importance was to be entered upon without the assent of the greater part of all the Fellows present, or at least without the assent of the six Seniors. These last provisions were expunged by Sutton, for they are substantially re-enacted in the clauses that follow. The Principal's salary, in addition to his commons, was fixed from the first at a hundred shillings 'that he may with the more diligence execute his office'.

The chapter touching the absence of the Principal and Fellows attests the importance attached by the Founders to constant residence. In term-time the Principal and Fellows were never to be absent more than a month, save on the business of the College, on pain of ejection, unless a formal vote of approval were passed by the majority of the six Seniors. Eight clear weeks were allowed, either to be taken continuously during the Long Vacation, or at intervals throughout the year. There were never to be fewer than six Fellows in College, even in the Long Vacation, unless plague or other contagion prevailed, in which case, by leave of the Principal and the six Seniors, the resident Fellows might be reduced to four. These were to be attended by 'communes servientes'. A clause was added by Sutton to the effect that Fellows or Scholars when in their own country,¹ for any reason, were not

¹ The Bursars' Rolls show that this was the meaning of 'in patria'; for it is evident that the Principal and six Fellows when they left Oxford for a common refuge, presumably Cold Norton, in the time of the plague, took servants with them. For instance, in the Roll for 1522-3 (A. f. 26) we find:—

'Et solutum pro communiis sex sociorum tempore pestis ut apparet per librum mancipii coram Sociis examinatum iiij^{li} iiij^s.

'Et solutum pro communiis trium communium servitorum dicto tempore pestis et pro vado coci pro ijbis terminis li^s viij^d.'

Now from A. f. 22 we learn that the commons of the six Senior Fellows during five weeks in time of plague amounted in cost to 25*s.*, i. e. 4*s.* 2*d.* per head, during absence in the country. Applying this rate to the £3 4*s.* expended in 1522-3 and we infer an absence of over fifteen weeks. But in 1523 prices had fallen, and the absence may be taken to have extended longer, which agrees with the two terms mentioned in the case of the servants. I incline to think that, despite their high salaries and important functions, the 'communes servitores' included the Manciple, Butler, Cook and Barber, as the servants in common to the College, so distinguished from the 'servientes ex scholaribus', who were appointed weekly by the

to have with them any servant at the expense of the College. This was a question which, in those days of recurrent pestilences, had probably been forced to the front, and it was obvious that if the comforts of Collegiate life were to be enjoyed by Fellows gratuitously in their country homes, there would be a natural reluctance to return to residence in the infected area of the town. Moreover, the principle sanctioned was that they should, when driven from Oxford by the plague, live together in some suitable place and apply themselves to study. Leave of absence was to be obtained from the Principal by Fellows and Scholars alike, under penalty of fourpence. For sleeping outside the College without leave successive penalties of 2s., 4s., and 6s. 8d. were to be exacted, a fourth offence being punishable with expulsion. Even absence from dinner on more than two successive days was to be visited by a fine of fourpence.

The chapter which follows, 'De communiis Sociorum,' opens with an admonition against indulgence at table, and of the intention of the Founders to maintain moderation of diet in the College. Twelve pence a week per head was to be the expenditure, save on the octaves of the principal Feast Days, when this sum was doubled, and during certain minor octaves, when it was increased to sixteen pence. But the Founders wisely reserved to the Principal and the majority of the Fellows the right to dispense with these limitations in time of scarcity ('in tempore caristiae'), defined as indicated by the price of twelve shillings a quarter for wheat. How high a price this was may be seen from a comparison of Rogers's *Tables*, which show an average of 6s. 0¼d. for 1522, falling to 5s. 6d. for 1523.¹ Nor does a single quotation as high as

Vice-Principal to wait at meals (Stats., chap. xxvii). In the Accounts for 1524-5 (B. f. 18) we have :—

'Et solutum pro communiis Lectoris biblie mancipii promi Coci et barbitonsoris tempore pestis dicto anno
iiij^l iiij^s iiij^d.'

I take this to be when they accompanied the Fellows from Oxford. The provision that the Fellows remaining were to be attended by 'communes servientes' I interpret as meaning that a sufficient number of College servants was to be left to wait on them.

¹ *History of Agriculture and Prices*, iv. 288.

12s. occur from the beginning of the sixteenth century until 1520-1, when it reached 12s. 10d. at Sion, and 1522, when it was 13s. 4d. at Cambridge. These, however, were temporary and exceptional prices.¹

Fellows, as such, received no stipends. Their washing, shaving, commons and chambers were free, and no charge was to be made for servants. But for special duties, such as those devolving on the College officers, payment was to be made. The Vice-Principal was to receive 20s. yearly, raised by Sutton to 26s. 8d.; each of the two Bursars, 13s. 4d. A Bible-clerk was to be attached to the Principal, as in monasteries, to read aloud during meals, for which he was to receive his commons and chambers, his shaving and washing free. To these duties Sutton added the custody of the chapel and its vestments, subject to the supervision of a Fellow, who was to be paid 6s. 8d. The first entry of this payment occurs in the Roll for 1524-5 (B. f. 19) 'pro stipendio supervisoris Capelle—vj^s viij^d.'

The educational system is divided into two chapters. Of these, the first, entitled *De disputationibus*, dealt with the post-graduate courses. Readers of Dr. Rashdall's work on *The Universities of Europe in the Middle Ages* will remember how large a part post-graduate courses played in Oxford teaching. They were, no less, an integral part of the Founders' scheme. Every week during Term time and twice a week during the first part of the Long Vacation, the last three weeks of July, all Bachelors of Arts, whether Fellows or not, were bound to take part in disputations in the Chapel on problems of Natural and Moral Philosophy. But as in Lent incepting Bachelors were by the rules of the University obliged to preside over disputations ('determinare quaestionem'), they were at that time 'propter labores in scholis publicis' excused from more than one weekly disputation in College; attendance in the Schools on each day of determination being strictly enjoined on them. If their number were below six,

¹ *History of Agriculture and Prices*, iii. 91, 92.

their place was to be taken by junior Regent Masters. Masters of Arts and the Lecturer ('Lector') were also to attend. The only textbook prescribed was the *Physics* of Aristotle. Masters of Arts studying Theology were also to dispute in the Chapel once a week during Term on theological topics. Absence from any of these exercises was punishable by a fine of twelve, reduced by Sutton to eight, pence. Transgression of the rules of disputation was more severely visited by a fine of twenty pence.

By additional statutes of Sutton, Masters of Arts studying Theology were to be admitted to theological lectures after the first year of regency, and after the third were to be allowed to take part in the disputations in the Schools, at which all Bachelors of the College were bound to be present. All Fellows who were Regent Masters were bound to dispute in the Schools. Bachelors might be called upon to lecture to the Scholars of the College.

After the post-graduate courses come the provisions for the education of the Scholars. They are to give diligent attendance upon lectures. If late, the scholar is to be fined a farthing; if he miss more than half the lecture, a halfpenny; if the whole, a penny. The rod is an alternative, and, upon a special report by the Lecturer to the Principal and Vice-Principal, followed by three warnings, continual delinquency shall be punished by expulsion. Sutton added disorderly conduct at lectures to these offences, which he made punishable by the Lecturer with fine or with the rod.

As revised by Sutton, the statutes prescribed more definitely the undergraduate's course of study. Every scholar, after having attended half his course of lectures on sophistry, was to be present at the Parvise, or porch of St. Mary's, there to listen to the disputations. These answered to the modern Examination, being conducted before the *Magistri Scholarum* between the examinee and a senior scholar. The subjects were grammar and logic, and an undergraduate was qualified to dispute in his ninth term. It was necessary by the regulations of the University to have disputed for a year *in Parvise* before a Bachelor's degree could be taken. Sutton required

from the Scholars of his College a course of three years' study of sophistry and logic before becoming Bachelors,¹ and of three years in philosophy before taking the Master's degree, though a licence relaxing this requirement might be granted by the Principal and any one of the six Seniors for a cause reasonable. This regulation was to prevent the presentation for degrees of men unequal to the presentees of other Colleges. The excessive expenditure of money upon the attainment of promotion, belauded by Fortescue² in the case of the serjeants-at-law, had made its way into University life. Sutton, familiar with this reckless prodigality at the Inns of Court, restricted the expenditure upon a supper by a freshly made Bachelor to five shillings, and upon the dinner given by a Master on the occasion of putting on his gown to twenty shillings.

By those acquainted with the history of University education it will be seen that the Founders of Brasenose contemplated standing upon the ancient ways. A comparison of these statutes with those drafted by Bishop Foxe for his contemporary College of Corpus exhibits the contrast of mediaeval and modern scholarship. At Corpus, the study is enjoined of the Greek orators and poets in the original, the acquirement of the wealth of New Learning imported by the Renaissance; at Brasenose, the Scholars and Fellows are still to mumble the dry bones of scholastic philosophy and to turn their backs upon the new ideas which were about to regenerate a decadent civilization. If Bishop Oldham, like Smyth, no friend of the monks, at one time intended to take a share in the foundation of Brasenose, as Anthony Wood tells us,³ it is not improbable that his benevolence was diverted to Corpus

¹ I take this to mean after admission to the Parvise. Cf. Holinshed, *Chron.* i. 252 (ed. 1807), 'The first degree is that of the General Sophisters, from whence when they have learned more sufficientlie the rules of logike and rhetorike and obtained thereto competent skill in philosophie and in the mathematical, they ascend higher into the estate of Batchelors of Art, after four years of their entrance into their sophistrie.'

² Fortescue, *De Laudibus* (ed. A. Amos, 1825), p. 91.

³ Wood's *City of Oxford*, O.H.S., xv. 542.

by a preference for a scheme of education in marked contrast with that favoured by Smyth and Sutton.

Elaborate regulations were drawn up for behaviour during dinner in hall. During the reading of the Bible, or other appointed book, silence was to be maintained. No one was, without permission, to leave the hall before grace had been said, nor to loiter there afterwards. In Hall and Chapel Latin was to be talked. Birds and dogs were not to be kept. To these prohibitions Sutton added musical instruments and noise generally. He also forbade any one to go out of College alone, except to lecture¹ and the Schools. It is said that the practice of leaving College in pairs survived until recent times. On the other hand, while by the earlier edition of the statutes knuckle-bones, dice, cards, and balls were forbidden, Sutton allowed cards or any other honest game ('*ludum honestum*') at the discretion of the Principal, to be played in hall at Christmas.

The number of Fellows was to be twelve, but in the event of financial pressure it might be reduced without limit. The Founders, however, record that it is reported that some Colleges in the University reduce the number of their Fellowships in order that existing Fellows may live the more sumptuously. They, therefore, enjoin, under pain of anathema, that if the number should be reduced owing to temporary exigencies, it should, as soon as possible, be restored to twelve.

A series of minute regulations was drawn up for the custody of the jewels and vestments, and for the Library. Of these it may be briefly said that neither valuables nor books were to be taken out of College except for purposes of repair. Such books as were not required, by the wish of the donor or of the Principal, to be kept chained² might be lent to the Fellows.

¹ Out-College lectures were a recognized institution. The statutes of Magdalen (1482) granted gratuitous teaching by the establishment of three public chairs, two of philosophy and one of theology. In 1538 John Claymond, the first President of Corpus, in his benefaction to Brasenose, of which an account is to be found in Monograph IV, provided that the Claymond scholars should attend the Humanity and Greek Readers at Corpus.

² The earliest surviving entry in the Bursars' Rolls which mentions the Library

A Fellow who borrowed a book was bound to acknowledge its receipt in the form of a small indenture, the counterpart of which was to be kept by the Principal. As a book might be borrowed for a year, this was a judicious regulation. The indenture was to contain a copy of the beginning of the second leaf of the book borrowed. This, as Churton observes, was probably in order to preserve the illuminations on the first page of manuscripts and to identify the copy. 'It will rarely happen that two copyists shall fill their page precisely with the same number of words, whence the initials of the second leaf of a manuscript will mark that individual copy, and no other.'¹ It is characteristic of the minuteness with which mediaeval Founders endeavoured to anticipate every contingency that rules of management now left to the discretion of librarians find a place as integral parts of statutes which, by the concluding chapter of Sutton's revision, were to be fundamental for all time. By the earlier edition, an annual inspection was to take place within the octave of All Saints of all vestments, jewels, books, or other ornaments lent to Fellows, at which time they were at liberty to select books for another year. This regulation Sutton varied. The inspection was to be after the audit. Books lost were to be replaced on pain of forfeiture of commons till their value had been made good.

The two Bursars and their duties occupy a separate chapter. Their accounts were to be made out in 'large indentures', one to be held by the Principal, the other by the Bursars. It is to be observed that this prescription was not literally followed, probably because the duplication of accounts was found troublesome, and none of the surviving Bursars' Rolls is in the form of an indenture. Money received by them was to be deposited in a chest with three keys, in the

is a mutilated account of an expenditure in 1520-1 of £7 10s. 1d. for glass, bolts and iron furnished for it (A. f. 17). This is followed by an item of 20s., a final instalment for desks ('pro lectris') and other necessities. In 1521-2 (A. f. 21) is an entry 'Et solutum pro Cathenacione librorum in librariam et aliis necessariis circa dictam Librariam vt per billam examinatam apparet . . . xxx^s vjd.'

¹ *Lives*, p. 320.

sight of the Principal and Vice-Principal or some other Senior Fellow. One of the keys was to be kept by the Principal, the two others by the two Bursars. Though this provision formed part of the statutes as revised by Bishop Smyth's executors, it is doubtful whether it was to be found in the bishop's lost edition, for the chest was apparently fitted with two extra bolts and locks in 1516. In the accounts made up at Michaelmas 1516, occurs the following entry:

'Et solutum pro ij^{b^{us}} seris et clavibus pro quadam cista . . . x^s'.¹

An examination of the ancient Bursars' chest preserved in the Treasury of the College reveals the fact that two of the lock shields are the same, the third being different, which suggests that the two side locks were additions. But since the list of Bursars goes back as far as 1512-13, when Roland Messenger and John Formby or Forneby were Bursars, it follows that down to 1516 the College chest had probably but one lock. In this chest were to be kept the current moneys received or expended upon weekly needs. In the absence of one of the Bursars, his key was to be left in charge of a Fellow, for whose conduct the Bursar was to be held responsible. The Bursars were to be sworn to render a just account at the appointed times of audit.

Once a year a Fellow was to be appointed by the Principal and six Seniors to make a 'circuit and progress' through all the estates of the College, accompanied by the Accountant (*clericus computi*). Receipts were to be by indenture, and all moneys collected by these two were to be handed over to the Bursars in the presence of four of the Fellows. Collectors of rents were to receive due notice of the date in November at which they were to come to Oxford to render their accounts. A final computus of the expenses of commons and all other expenses was then to be made up by the Bursars and audited by the Principal and six seniors. All documents were to be kept in a chest. After the computus, an inspection was to be held as well of the jewels of the College as of money in the Treasury. Upon this occasion, all officials, except the Prin-

¹ Bursars' Rolls, A. f. 3.

cial, were to vacate office. No Fellow might, under pain of expulsion, decline an office to which he should be elected. Under the same penalty, every Fellow was to be present at the audit, unless released by the Principal—an additional obligation imposed by Sutton's revision.

The rules of seniority are now defined. After the Principal, the Vice-Principal is to rank, whatever his degree or standing. Next to him, graduates in order of academic dignity—Doctors and Bachelors of Divinity, Masters and Bachelors of Arts; lastly, the Scholars. Among graduates of the same order, the date of the degree is to determine relative precedence.

By the committal of the government of the College to the Principal and the six Seniors, Sutton effected the most important of his changes. The original statutes or, at any rate, the statutes promulgated by Bishop Smyth's executors, prescribed the summoning of all and singular of the Fellows ('omnes et singuli socii') to discuss with the Principal, in the chapel or elsewhere, any important business. The statute 'On the authority & office of the Principal' repeated that, in order to strengthen the decisions of the Governing Body, it was desirable that all the Fellows should meet to deliberate, but the next edition, perhaps, added, 'or the majority, or the six Seniors.' It is evident from the Bursars' Rolls that this minimum very early established itself as the acting quorum. For instance, in 1516-17 (A. f. 7) it is recorded, in a mutilated entry, that a sum of £14 9s. ¹ . . . $\frac{1}{4}$ d. was deposited in the common chest 'in presencia principalis et sex sociorum seniorum tunc presentium'. There were, at any rate, in the statutes approved by Bishop Smyth's executors, clauses expressly restricting power to six Seniors, sometimes to seven, as, for instance, in the election of a Principal and Vice-Principal. But elsewhere, as in the chapter concerning the absence of the Principal and Fellows, the 'major pars' of the Fellows are to exercise their judgement. For the more popular suffrage, where it had survived, Sutton substituted

¹ The pence mutilated.

the oligarchy of the six Seniors—sometimes, as in the chapter on the duties of the Bursar, further narrowing it to four, sometimes, as in the case of the election of Fellows, increasing it from six to seven in the absence of the Principal, doubtless with the object of preventing a deadlock. This government by the six Seniors continued down to the First University Commission, when a return was made to the more popular form of government which Churton supposes Bishop Smyth to have designed.

A long chapter, inculcating the duty of repairing the chapel and the other buildings of the College, was struck out by Sutton, presumably as unnecessary. The revenues of the College had more than doubled since 1516, the year of the earliest extant Bursars' Roll. Bishop Smyth, anticipating the possibility of deficit arising, as he suggests, from murrains, scarcity, fire, negligences, or other mischances, had provided that, if necessary, a penny or two pence a week should be deducted from every man's commons for expenditure on repairs of chapel or hall. The net balance in favour of the College at Michaelmas, 1521, was sufficient—following, as it probably did, upon surpluses since 1517, to set the Governing Body at ease in this respect. The servants of the College are next provided for. A manciple or 'dispensator' followed next after the Bible-clerk. His business was, under the supervision of the Bursars and Steward ('senescalli') to purchase the victuals. An addition to his duties was made by Sutton, whose statute ordered him, together with the Steward and Bible-clerk, to wait at dinner and supper. They were to be assisted by two or more undergraduate scholars, chosen weekly by the Vice-Principal. A butler was to preside over the buttery ('promptuario'), and to be assisted by the manciple in the apportionment of commons. The head cook was to accompany the manciple when he purchased the victuals. Under him were to be employed as many cooks as seemed good to the Principal and the Bursars. The porter was to act as barber to the whole College, and to attend upon the Principal in his spare time. No woman, except a laundress, discreet of age and condition, was to be employed, nor was she

to be allowed beyond the gates. The wages of the servants were to be fixed by the Principal, Vice-Principal, and senior Bursar.¹

Twice in the year the statutes were to be solemnly read in Chapel, at a meeting to be attended by all the Fellows, under a penalty of two shillings upon absentees. On each occasion they were to be read through twice, if convenient. It is not probable—since the bishop qualified this rule by the words, ‘or, at least, once,’ that the College often performed this work of supererogation! Sutton added a clause that the Vice-Principal was, thrice a year, to read the statutes to the scholars, so far as they concerned them. Obligation to be present was to be enforced upon them by a fine of twelve pence.

The Steward (*senescallus*) was an officer of sufficient importance to monopolize a whole chapter, with the designation of ‘steward of the common hall’. His business was, under the supervision of one of the Bursars, to keep a record of the purchases made. He was to be a graduate of the College, nominated every week; but the Vice-Principal and graduates in divinity were exempt from serving the office. Once a week, on a Wednesday or a Saturday, he was to render an account.

Until the Act 13 Elizabeth c. 10, no restriction existed upon the alienation of land by corporations aggregate.² It became, therefore, necessary for this contingency to be dealt with by the College statutes. Sales and mortgages were forbidden, though sales submitted to the bishops of Lincoln by the Principal and six Seniors might be made, if not disadvantageous to the College.³ Leases of manors might not be

¹ The earliest entries of servants’ wages are in 1524-5 (B. f. 19), when the ‘stipendium’ of the manciple is set down at 40s. and that of the cook at 36s. 8d., raised in 1525-6 to 40s. (B. f. 25). The barber, who was also the porter, received 30s. in 1525-6, which was raised to 33s. 4d. in 1526-7 (C. 9). He also received varying sums ‘pro necessariis expensis’ which at a minimum of 17d. in 1527-8 ran up to 21s. 6d. in the following year (D. f. 7). From 1528-9 onwards the wages of the manciple, cook, and barber are grouped together at £6.

² See upon this Dr. C. L. Shadwell on *The Universities and College Estates Acts* (Oxford, 1898), p. 4.

³ There appears to be a case of a sale by the College in 1526-7 (C. f. 4), to John Legh, clerk, presumably the Bursar of 1515-8, of some land at Headington, bought for £5 in 1525-6 (B. f. 25). John Legh paid £5 for it and the land ceases

granted for more than thirty years, nor of appropriated tithe for more than twelve. Annual pensions, perpetual chantries and corrodiess were not to be granted, nor was the College to be burdened with any obligations to extend to a term of forty years unless sufficient endowment were made. Neither the Principal nor any Fellow was to become a tenant under the College.

Fellows dispatched to a distance upon College business were to be paid their necessary expenses and no more. The amount of these was to be adjudged by the Principal, Vice-Principal, two Bursars, and two senior Fellows. Entries of such expenses occur in every Bursars' Roll. For instance, in 1523-4 (B. f. 9)—

'Et solutum pro expensis magistri Ricardi Shirewood magistri Simonis Starky magistri Ricardi Baker et magistri Ricardi Rydge ac aliorum equitantum ad London et ad diuersa loca ac diuersis temporibus circa negocia Collegii vt eciam per billam' xvij^{li} xiiij^d.

It may be said, parenthetically, that these 'billae', constantly referred to for details, are unfortunately lost.

Of these four, Shirewood had been Bursar in 1514-15 and 1517-18, and he and Starky were probably the two Bursars for this year, 1523-4. Richard Barker is not on record as a Bursar. Rydge or Ridge was Junior Bursar in 1526-7. The other persons were probably the servants ('famuli') frequently mentioned as accompanying the Principal on his progresses. The expenses were larger than usual, which may perhaps be accounted for by the fact that in 1524 the College acquired its Leicestershire and Lincolnshire estates. Its law expenses during the same year were exceptionally heavy, amounting to £10 18s. 6½^d., the highest recorded down to that date, and more than double those—up to that time the highest—for the previous year.

It seems that these allowances at times occasioned disputes. Cases are numerous in which arrears are debited not to tenants, but to Bursars. For instance, John Formby or Forneby was Junior Bursar in 1512-14. In the earliest surviving Bursars' Roll, that for 1515-16, there is an account of

to appear in the Bursars' Rolls. There is a deed in the possession of the College, dated 18 December, 17 Henry VIII (1525), describing it.

£9 15s., of which the items are set down, being of rent received by him, since 1513. This account is carried on year after year, the money due still entered as 'in manibus Johannis Forneby'. At last, in the Roll for 1524-5, a settlement is arrived at, from which it appears that he claimed this sum and had stopped it out of the rents: 'Et solutum magistro Johanni Forneby pro laboribus suis in negociis Collegii diversis temporibus et pro quodam vase emdo (*qu. emendo*) ix^{li} xv^s.' This delay took place despite the Bishop's statute that money received should be handed over within thirty days of receipt. Another example is the case of arrears due from Richard Rydge, carried over to the amount of £7 7s. 6½d. in the Bursars' Rolls yearly from 1528 to 1533, and perhaps later.¹ Hugh Charnock, Bursar in 1515-16 and probably later, is entered on the Roll for 1523-4 as £9 in arrears.² This he reduced by instalments, until in 1529-30 it fell to £3 13s. 4d.³

Male strangers might be entertained by Fellows or Scholars with permission of the Principal, but not for more than three days. No stranger, other than a former Fellow or Scholar and his servants, might sleep in College, under a penalty, on successive breaches of this rule, of 6d., 12d., or 20d. A stranger, other than these, might be entertained by the Principal, but not for longer than three nights.

There was, however, one exception to this general exclusion of strangers. Sons of noblemen or of influential (*valentium*) personages, friends of the College, to the number of six, might be received at their own expense, as Bishop Smyth phrased it, 'sub tutela et regimine creditorum vulgariter "creansers" nuncupatorum.' This is an early instance of recognition of the undergraduate unattached to a Foundation. This statute was considerably altered by Sutton. He contemplated the admission as Scholars into the College of the sons and cousins ('consanguinei') of noblemen, who were to be on the same footing as the others, but were not to be

¹ As Richard Rydge is believed to have become Abbot of Notley, Bucks, it is to be presumed that there was no imputation upon his honesty. It will be remembered that, upon joining a monastic order, he forfeited his Fellowship.

² B. R., B. f. 6.

³ Ibid., C. f. 5, D. f. 5.

bound by the clause excluding Scholars with more than twelve marks a year (£8). They were each to have a 'Tutor', selected from the Governing Body, responsible for their expenses and fines. Smyth's 'sons of noblemen' were 'extranei', maintained at their own expense. Sutton's were Scholars maintained, like other Scholars, at the expense of the College. Sutton's indulgence was carried a step further. Though, like the rest of the Scholars, they were to be sworn to the observance of the statutes, the Principal and Vice-Principal were accorded a dispensing power for their particular benefit, a concession, it may be surmised, not without peril for discipline.

It may be conjectured that the change introduced by Sutton was the consequence of the failure of Bishop Smyth's concession to attract the class in question. It was a grasping age. Noblemen sought to increase their incomes by becoming stewards of monasteries.¹ Henry VII did not even disdain to provide for his son Henry, Duke of York, afterwards King, by quartering him in an official capacity on the monastery of Byland.² Sutton regarded the extension to the sons of noblemen of the benefactions hitherto reserved for poor Scholars as likely to add to the influence of the College in the great world.³ These Scholars were, however, to be limited, as by Bishop Smyth's statutes, to the number of six.

The gates of the College were to be shut from 9 p.m. to 5 a.m., and the keys to be carried to the Principal. Sutton, however, recognized the frailty of suppers out, and added that any scholar knocking at the gate after hours and it may be inferred, being let in, should be fined twopence.

The religious exercises of the College were minutely regulated. All the members were to hear Mass daily in the Chapel, and to pray for the souls of Founders and Benefactors and for the souls of those for whom the Founders desired their intercessions. Every priest among them was to say

¹ Thomas West, 9th Lord de la Warr, was steward of Bruton, Somerset, *Dict. Nat. Biog.*; Sir Thomas Lovell, K.G., was steward of Peterborough, *Star Chamber Cases* (Selden Society, 1909).

² *Star Chamber Cases* (Selden Society, 1902), p. cviii.

³ Churton misses this point (p. 329), but Sutton's statute is explicit—'modo predicto.'

Mass at least thrice a week. Fines and even chastisement with the rod, as might seem good to the Principal, were the penalties upon those who came late or went out before the service was over. On the greater festivals the Principal was to celebrate, on the less the Vice-Principal. Both of them could grant leave of absence from services.

At dinner and supper all present in Hall were to say grace with 'De Profundis', 'Deus qui inter Apostolicos' and 'Inclina' for the souls above mentioned. The exequies of the Founders were to be celebrated by the Principal and the whole College on the days of their deaths. Absence from this function was to be penalized by a fine of two shillings, while ten shillings were to be distributed among the Fellows and Scholars present for the increase of their commons during that week. The *Valor* reveals that this was interpreted by the College as being an addition to the extra allowance of 13s. 4d. under Sutton's Composition 'to increase their fare that daye.' To this Sutton added a bequest of fivepence each for twenty-five priests present, to be supplemented, should those belonging to Brasenose be fewer in number, by others in the University.

The Anniversary of Bishop Smyth was celebrated by the College on January 3,¹ that of Sutton on the first Sunday after Michaelmas. During the lifetime of Sutton, the College, strangely enough, either failed to carry out the Bishop's directions or else to disclose its expenditure in the Rolls. A minimum expenditure of ten shillings was stipulated for. Nevertheless, though the balance sheets present no case for retrenchment, the actual expenditure was as follows:—

		<i>s. d.</i>
1521-2	Bp. Smyth's Anniversary	3 4½
1522-3	" "	3 3
1523-4	" "	6 11

Sutton died soon after Michaelmas, 1524, and the cost of his first Anniversary is entered in the Rolls for 1524-5 at 20s. 5d. This is consistent with his bequest of 5d. each for

¹ According to Churton, he died on January 2, 1574; according to the Reg. Warham f. 284 (see id. 343 n. g.) on January 5.

twenty-five priests, and the Bishop's provision of 10s., a total of 20s. 5*d.* In the same Roll, the Bishop's Anniversary costs 20s. 8*d.* From this time the expenditure on the two Anniversaries was approximately equal, as follows :—

Bp. Smyth's Anniversary. Sir R. Sutton's Anniversary.

	<i>s. d.</i>	<i>s. d.</i>
1524-5	20 8	20 5
1525-6	20 5	20 5
1526-7	20 5	20 5
1527-8	19 9	19 5½
1528-9	14 5½	20 5
1529-30	20 9½	20 5
1530-1	20 5	20 5
1531-2	20 5	20 5
1532-3	20 5	18 10
1543-4	23 5¼	20 9½

The cause of the diminished expenditures in 1527-9 is not far to seek. The years 1526, 1527, and 1528 are all entered in the Bursars' Rolls as years of plague (*tempore pestis*), as also are the years 1522 and 1523. It will be observed that the fall in the expenditure is less at Michaelmas, when the College was newly returned from the Long Vacation, than in January. The same feature reproduces itself in the Roll (J.) for 1545-6. Upon the Anniversary of Bishop Smyth 20s. 1½*d.* was spent; upon that of Sutton 24s. 5½*d.* In the *Valor* of 1547 a remarkable change occurs. At a time when it may be presumed that the College was not solicitous to minimize its expenditure, it returns the expenditure on the exequies of the two Founders at 10s. 5*d.* in each instance. The increment of 10s. was suppressed, and the 10s. 5*d.* represents the 5*d.* to be paid to the twenty-five poor priests. But the College returns 13s. 4*d.* as the additional expenditure upon each of the Founders' Days, being apparently conscious that the fine distinction between the 'week' of the Statutes and the 'daye' of the 'Composition' by which it enjoyed the expenditure of both sums was unlikely to be received with favour. As the College returned a deficit to the King's commissioners, it would not incur the criticism that it was guilty of an unauthorized expenditure of 20s. upon feasting.

The distribution of 5*d.* each to twenty-five poor priests on both Anniversaries continued in the form of a distribution to the Fellows present in Chapel, down to the time of the last Commission, and was supplemented by a Gaudy at the expense of the Domus, a revival, no doubt, of the expenditure of 10*s.* temporarily dropped for reasons of policy.

In framing his statutes, Bishop Smyth, in this particular at one with the Parliamentary draughtsmen of his day, exhibited a liking for a preamble containing philosophical, moral, and Scriptural reflections. Sutton, on the other hand, as a man of business, was of opinion that recitals of this sort were superfluous. He ruthlessly deleted the allusions to authors (*auctores*) unnamed with which the Bishop prefaced his chapter on the maintenance of the Chapel and Hall and other College buildings. Similarly, the chapter on the clothes of the Fellows had been adorned with references, which he expunged, to the sayings of 'the wise man' and the parable of the wedding garment. Nor did he follow the Bishop in his prohibition of red or white boots and peaked shoes (*calciamentis rostratis*). But, being a layman, he cherished a dislike for a piece of 'ecclesiastical millinery' which had been spared by the Bishop. No member of the College, he ordained, was to wear a 'liripipe'¹ called a Tippet', unless promoted to a benefice of greater value than was compatible with the statutes, an exception which can only have applied to the case of a newly-beneficed clergyman during his year of grace. The concession was, however, made by him that the tippet might be worn when travelling to and from Oxford, as if to enhance the dignity of the Fellows of Brasenose in the eyes of the outside world.² While in the University, long gowns sewn up in front—presumably a kind of cassock—were to be worn. Expensive furs were forbidden, sables and martin-skins by

¹ The liripipe was originally the elongation of the hood.

² History repeats itself. The *Spectator* (no. 609, 20 October, 1714) complains that young clergymen are parading the Town in the scarves of Doctors of Divinity, a fashion ridiculed by Richard Savage in his poem 'The Progress of a Divine'. The fashion, nevertheless, prevailed, and the Doctor's scarf became part of the customary clerical dress during divine service until, in the time of the Oxford Movement, it made way for the innovation of the Roman stole.

name, as well as cloth of velvet, damask, satin, and 'chamblet'¹. Eightpence was to be the fine for a first offence and, as throughout the statutes, contumacy was to be visited by expulsion. A clause was added by Sutton giving the Principal and Vice-Principal plenary powers as to the dress of the scholars. A proviso by Bishop Smyth that, save in case of illness, no one was to wear a mantle outside the College, and then only by consent of the Principal, was retained. This was perhaps a precaution against concealing arms, the wearing of which was forbidden in the same chapter of the Bishop's statutes, except when travelling to or from the University. In Sutton's revision, the wearing of arms forms no part of the chapter on dress, but is classed with dice, dogs, and musical instruments among general nuisances and distractions to study. Both Founders agree that Fellows are not to let their hair grow long either before or behind, but are to wear the tonsure appropriate to their ecclesiastical grade.²

The chapter on the allotment of rooms (*De dispositione camerarum*) suffered no material alteration. Fellows and Scholars were to share rooms together—three being apportioned to upper, that is, first floor, four to lower rooms. A Fellow was to have a bed to himself. Scholars could sleep together or separately, as the Principal might decide. The six sons of noblemen who were to be admitted into the College were to be accommodated with the upper and lower rooms at the east end of the Hall.

The Lecturer, or lecturers, if more than one was required, called by Bishop Smyth 'informator' and by both Smyth and Sutton 'Lector', is to be appointed, according to the Bishop's statutes, for the benefit of both Fellows and Scholars, according to Sutton's, of Scholars only. He is to be one of the Fellows and to have a salary of £4 a year, ordered by Sutton

¹ Or 'camlet' originally supposed to be made of a mixture of silk and camel's hair.

² The tonsure became wider as the cleric advanced in the ministry. The rule of the Founders was a common ecclesiastical regulation. Cp. the Constitutions of Bp. Walter de Cantilupe in 1240: 'Decenter et circulariter tondeantur (cleri), coronam habentes decentis amplitudinis secundum quod exegerit ordo.' Wilkins *Concilia*, i. 670.

to be paid quarterly. By the Bishop's statutes this sum was never to be exceeded. Sutton, however, added to it the fees paid to the College by Bachelors and Scholars on taking their degrees. He, the Principal and Vice-Principal, were also empowered to call upon any Bachelor to lecture in Hall or to take any other part in the instruction of the Scholars, and for this the assistant-lecturer was to be paid at the Principal's discretion. The Lecturer was to be elected, according to the Bishop's statutes, by the Principal and one of the Bursars; according to Sutton's edition, by the Principal and the six Seniors. He was also to take a part in the Disputations of the graduates held in the Chapel.

A chapter in both editions sets out the powers or functions of the Bishops of Lincoln, as Visitors. They were to be patrons and 'protectors' of the College, a word familiar in this connexion to ecclesiastics. Whenever called upon by the Principal and six Seniors and, in any case, triennially, they were to visit the College, assembling all its members together. If unable to discharge this duty themselves, they were at liberty to nominate spiritual persons as their commissaries, but five classes of persons were excepted. Of these, the first was the Chancellor of the University; the second, the Proctors; the third, the Principal himself; the fourth, the resident members of any College; the fifth, Regular Clergy. To the Visitor was assigned plenary power of interpreting and deciding any questions arising upon the statutes. He was to act by the inquisitorial process of the ecclesiastical courts in requiring admissions upon oath, and it is expressly provided that if charges are brought against the Principal, the defendant is neither to be furnished with a copy of them, nor with the name of the informer. It was this method of inquisition upon delation and the extortion of confessions which rendered the ecclesiastical courts odious during the persecutions of Queen Mary's time. As it was an importation from Rome and contrary to the principles of English law, it is surprising that Sutton retained such provisions after the death of Bishop Smyth. One protection was conceded to the unfortunate Head. If deprived by the Bishop or his commissaries,

he was at liberty to appeal to the law, a reservation in his favour which the first two Principals may have been glad to have had as a moral support during the troubled years of religious change that were so soon to follow. On the occasion of each Visitation, the Bishop was to receive £3, his commissaries thirty shillings.

The first Visitation of which any record is preserved is in the Bursars' Roll for 1523-24 (B. f. 9).

'Et solutum pro expensis Domini Lincolniensis Episcopi Visitatoris huius Collegii pro visitacione sua vt per billam examinatam apparet'
iiij^{li} xvij^d

Of this sum 17s. 5d. was, presumably, for the cost of entertainment.

In 1531-2 the Visitation was made by the Bishop's commissary and the statutory fee, with no allowance for entertainment, was paid (D. f. 19).

'Et solutum magistro Iohanni Frankes pro visitacione domini Episcopi Lincolniensis hoc anno'
xxx^s.

In the Bursars' Roll for 1545-6 (J. f. 17) the same sum is entered for a visitation of the Bishop 'per cancellarium suum'.¹ In the *Valor* of 1547 (f. 100), the College enters the expense of the Bishop's visitation at 20s. per annum, explaining that this is an average calculated from 60s. paid on a visitation every three years.

The manners of the period were rude, and precautionary regulations were needed to conserve the peace. At a period when undergraduates went up to Oxford while still mere boys, untrained by the preliminary discipline of a public school,² when their juvenile spirits were allowed no sufficient outlet in out-of-door games, and when their elders, in all classes of society, set an example of brawling and violence, personal encounters might be anticipated.³ The chapter dealing with

¹ His name was John Pope. He was Chancellor, 1543-54. Le Neve, *Fasti*, ii. 93.

² Only Winchester and Eton existed as public schools of any importance, and of these, Winchester sent its scholars to New College and Eton to King's College, Cambridge.

³ There is one record of an assault, committed presumably upon a person not

these is intituled 'De pace inter Socios et non Socios observanda', and is the longest of the five new chapters introduced by Sutton. The title is of an ambiguity more ominous than is warranted by its contents, since it does not contemplate a standing feud between Dons and undergraduates, but deals with assaults by undergraduates upon each other, as well as upon Fellows, and by Fellows upon undergraduates. The case of an assault by one Fellow upon another is provided for in the chapter on the removal of Fellows. In the spirit of an Anglo-Saxon code, assaults are priced according to the rank of the person who was the victim, their severity, and the weapon with which they were inflicted. An attack by one undergraduate upon another might be enjoyed for 3*s.* 4*d.*, provided it were not made with other than natural weapons. If a stick or stone or other instrument were used, or even threatened, though no blood were shed, it cost double. Six and eightpence was also the charge for the most moderate form of assault by an undergraduate upon a Fellow, and blood drawn from a Fellow cost twenty shillings, but from an undergraduate thirteen and fourpence. Provocative language by any person was punished by a fine of eightpence or more, according to the discretion of the Principal and Vice-Principal. Scholars could be sent down for idleness, offences against the civil or moral law, or for scandalous or quarrelsome conduct of any kind, the language affecting them being a repetition of that touching the removal of Fellows. In the case of Scholars involved in a suspicion short of proof, the method of compurgation might be employed, the compurgators being in their case two scholars like themselves. For failure to comply with a summons by the Principal to a compurgation, the Scholar might be expelled. The graduated system of private and public reprimand devised for peccant Fellows was applied

a member of the College, which found its way into the Vice-Chancellor's Court. On December 15, 1545, Clement Purst, having been assaulted by John Ratclyff of Brasenose, in Brasenose College Kitchen, asked that Ratclyff should be bound over to keep the peace. On December 17, Ratclyff was fined 4*s.* for the assault (Proceedings in Vice-Chancellor's Court, 1545-6, extracted from *Reg. Cur. Cancell. G. G.*, by A. Clark). For Ratclyff see sub Radcliffe, John, Principal's Register, anno 1549.

totidem verbis, to the case of Scholars, with the same penalty of expulsion for contumacy. Lastly, in the statute setting forth the religious duties of the Scholars occurs a clause¹ marking the introduction into the educational system of the practice of corporal chastisement which thenceforth flourished in schools for more than three hundred years. ‘Et volumus quod illa particula, silicet “vel virga corrigatur” conformiter intelligatur in omnibus aliis statutis poenalibus poena pecuniaria!’

The chapter added by Sutton on the agreement of Fellows and non-Fellows in the election of officers of the University, seems to show that experience had taught the utility of electioneering tactics, if the influence of the College were to assert itself in the University. A method was devised, and approved by Sutton, for securing the vote of the College *en bloc*. Where the majority, both of Fellows and scholars, presumably graduates, were agreed, the minorities were to vote with them. Where the majority of the Scholars, that is, presumably, of Scholar graduates, were agreed with a minority of the Fellows, the Principal and majority of the six Seniors were to determine the choice, and by their decision the rest were to be bound.

The difficulty of ensuring College discipline among undergraduates resident in Halls attached to the College, perhaps inspired the next addition made by Sutton to the statutes. Little St. Edmund Hall, which must have been a very small house, was to be let to a priest in enjoyment of a benefice incompatible with a place on the Foundation, save in the excepted cases of sons of noblemen. In accordance with this arrangement, we find in the Bursars’ Roll for 1526–7 (C. f. 3):

‘Onerantur dicti Bursarii pro quadam Camera Rogeri Dyngley Doctoris² infra Aulam vocatam litill Edmund Hall’
vj^s viij^d.

¹ On this, as the opening of a new era, see H. Rashdall, *Universities of Europe*, ii. 622.

² Roger Dyngley or Dingley was a Fellow of All Souls in 1511 and had been Proctor in 1518. He was made D.D. July 2, 1526. Boase, *Reg.*, O. H. S., i. 46; Churton, pp. 335–6. But he must, if Sutton’s statute, which speaks of the contingency of his expulsion from the College, was observed, have been a member of it.

being the first surviving entry of a tenant of any of the halls. Sutton's statutes conclude with an injunction against the enactment of any statutes repugnant to them, with the exclusion of Roland Messynger, and with the date of 1 February, 13 Henry VIII (1522).

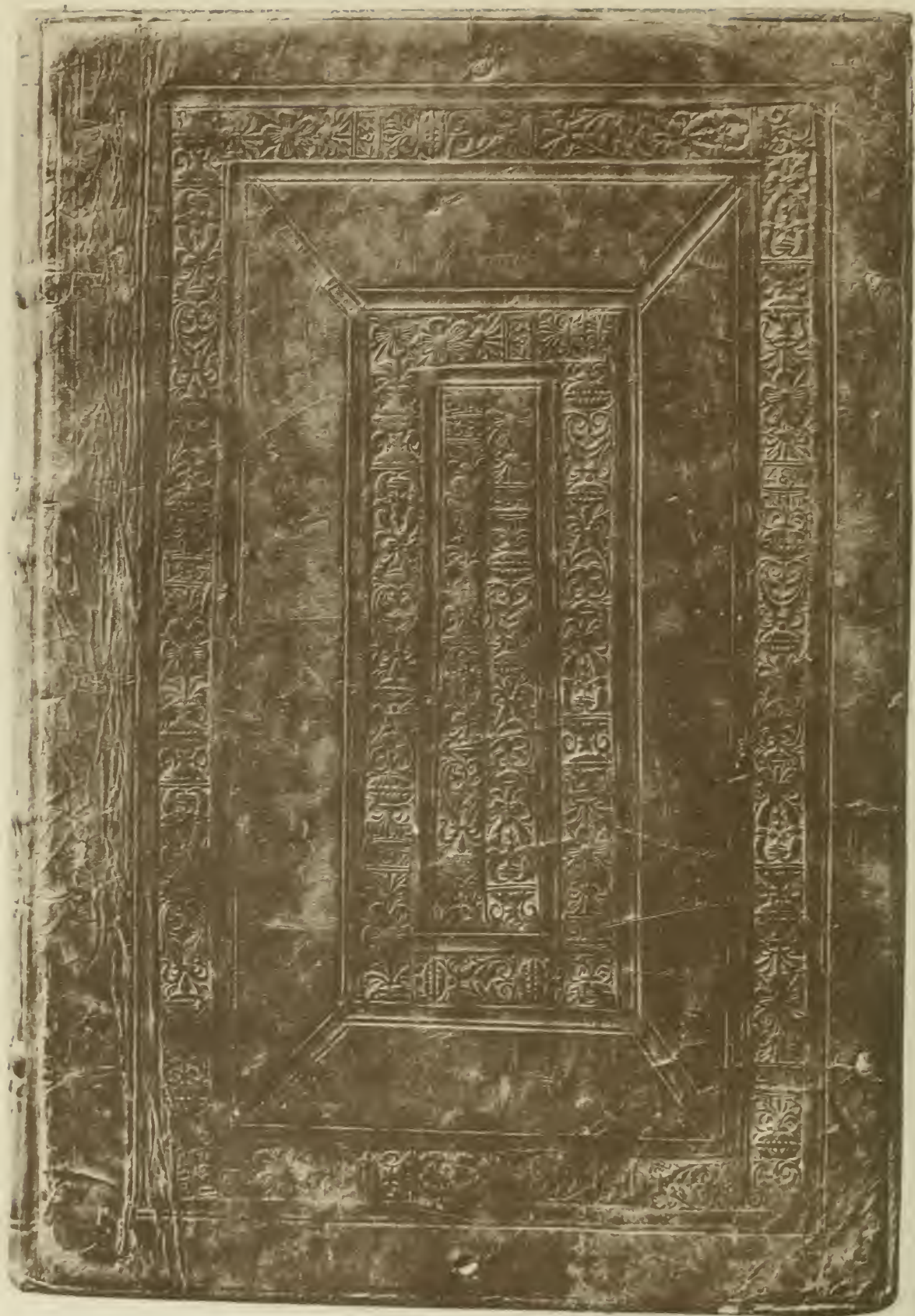
*Sutton's
Statutes.*

The changes introduced by Sutton may now be summarized under three heads.¹ Of these, the first were constitutional changes, the most fundamental and far-reaching being that which definitely transferred the government of the College from the Principal and twelve Fellows to the Principal and six Seniors. One result of this, certainly not foreseen by Sutton, was that when the system had grown up of attaching stipends to Fellowships as such, the six Seniors absorbed the greater part of the surplus corporate income, leaving the junior Fellows so poorly endowed that they were forced to seek employment outside—in modern phrase to go down, pending their arrival at a seniority which would enable them to subsist comfortably in College. In Churton's judgement, this removal of junior Fellows from contact with the undergraduates was favourable to the 'vigour of discipline and the salutary coercions of good order'. But this was not in Sutton's contemplation, since he introduced the requirement of a year's residence by a probationary Fellow. The influence of seniority was increased by Sutton's provision that the senior Fellow should act in the Vice-Principal's absence, and that the two senior Fellows should, with the Principal, act as a court of appeal from the Vice-Principal.

A constitutional change of less moment was that by which Sutton threw open the endowments of the College to six sons of noblemen whom Bishop Smyth had apparently intended to occupy the position of the commoners of to-day, and to be as members of the College, at their own charges, but not on the Foundation, nor entitled to its eleemosynary advantages. They were to be 'sub tutela et regimine creditorum vulgariter "creansers."'² nuncupatorum', an old-fashioned word for persons

¹ In the printed Statutes, chapters xii, xxii, xxiv, xxxvii and xxxviii, with a great part of viii and xxiii are to be assigned to Sutton's revision.

² Creanser, creancer, c. 1500, G. Vernon in *Hist. MSS. Comm.* i. 16, 'Mr. Grove,



Binding of first Vice-Principal's Register, A.D. 1540, bearing an Oxford stamp dated 1537

to whose care pupils were entrusted, but for discipline rather than instruction. Dr. Rashdall¹ has noted that Sutton, in his substitution of the word 'Tutor' in the same sense, introduced into Brasenose and into the University the word which, with the added connotation of teaching, finally established its supremacy.

Still more remarkable is Sutton's concession in their favour of the privilege to be entrusted to the Principal and Vice-Principal, 'dispensandi cum eisdem pro observatione statutorum quae ab ipsis convenienter observari non possunt.' In the same spirit was his permission for a priest beneficed beyond the statutory limits to live in St. Edmund Hall. Like Principal Hodgson, he had no fancy for 'a college of paupers'. Another series of changes introduced by Sutton affected the discipline both of Fellows and Scholars. These seem to have been less inspired by any dominating principle than rearrangements of detail which experience commended as desirable. Controversies may be conjectured to have arisen as to the powers of the Vice-Principal, for Sutton directs that they are not to be exercised over Masters of Arts, nor in cases of expulsion, nor is the Vice-Principal to interfere between 'Lector' and pupil. On the other hand, the discipline is slightly tightened upon Fellows. In the changes made in that of the Scholars, the enforcement of order, both during lectures and at other times, occupies much of Sutton's care; towards which the reading by the Vice-Principal thrice a year of so much of the statutes as affected undergraduates was designed to contribute. Musical instruments and noise generally were put under interdict; on the other hand, Saturnalia were tolerated at Christmas and cards allowed for the first time, but only in the Hall. To cards might be added any 'ludus honestus', of which the Principal was to be judge, but the context shows that neither knuckle-bones, dice, nor ball, were to be included in this category. The undergraduate was no longer to be locked out for the night who returned to College after nine o'clock.

Pryncipall of Mawdelen Hall, the which is creanser to me and my brother.'
J. A. H. Murray, *Oxf. Engl. Dict.*, s.v. creancer.

¹ H. Rashdall, *Universities of Europe*, ii. 515, n.

There was a greater precision of regulations as to the course of instruction, especially for graduates. Education was not thought to be complete with the attainment of a Bachelor's degree. That was the crown of a three years' study of sophistry and logic, to be followed by three years of philosophy and disputations prior to a Mastership in Arts. Even Masters, if resident, were to attend theological lectures and disputations, though the penalty for absence was reduced by Sutton from 12*d.* to 8*d.* It is plain that the intention of the Founders was to turn out a body of clergy thoroughly equipped with orthodox weapons for the controversies of the day. The graduates of Brasenose were to be the Jesuits of Oxford.

The concluding chapter of the statutes is of importance. A few years earlier, the statutes of St. John's College, Cambridge, had been drawn up by John Fisher, afterwards Cardinal. Fisher, in this following the precedent of William of Wykeham, was determined to guard against the innovations threatening the Universities (J. B. Mullinger, *History of the University of Cambridge* (1873), p. 471). Sutton in this statute follows Fisher's lead. Any changes in the spirit of his statutes, the object of which, to those who were reading the signs of the times, was patently resistance to the new learning, were peremptorily banned. It is not without significance as interpreting the part played by Roland Messynger that it is in association with this prohibition that his name finds a place.

It may have occurred to the reader to ask how it is that, having been jealously excluded by Bishop Smyth from intervention with the statutes, Sutton nevertheless undertook their final revision. A document among the records of the Star Chamber supplies the answer. It is¹ a petition by one Bawdwyn Smythe, citizen and haberdasher of London, probably a nephew of the Bishop. In it he states that all Bishop Smyth's executors had renounced. It was undoubtedly this in the first place and the provision of the Charter in the next which brought the Principal and Fellows to Sir Richard

¹ *R. O. MS., Star Chamber Proceedings, Henry VIII, Bundle 19, no. 213.*

Sutton. The journey to Syon is recorded in the Bursars' Roll made up at Michaelmas, 1521. The date of the sealing of Sutton's revised statutes is February 1, 1522, which shows that he had the changes some months under consideration. In 1520-1 the College spent 9s. 8d. on transcripts of documents and of the statutes at different times ('pro transcriptione Statutorum diuersis temporibus') (A. f. 18), doubtless the original and second editions for submission to Sutton. In the following year, after Sutton's revision, there is another entry (A. f. 22).

'Et solutum pro transcriptione Statutorum diuersis temporibus et aliis scriptis concernentibus Collegium ac pro pargamino et papiro pro Statutis scribendis et aliis necessariis dicti Collegii (ut) similiter apparet per billam
li^s id ob.'

Mention has been made of the clause at the end of the statutes of 1522 enjoining that Roland Messynger shall not be a Fellow, nor remain in the College, nor have a chamber there for more than one night. The exact reason for this ordinance of exclusion ranks, though as one of the minor mysteries of history, with the Man in the Iron Mask and the authorship of the *Letters of Junius*. Down to the time of the first Universities Commission every newly-elected Fellow, in swearing to maintain the statutes, swore to maintain Roland Messynger's exclusion. *Roland Messynger.*

The industry of Churton has disinterred many details of Messynger's career. He appears to have belonged to the diocese of Carlisle, and was ordained deacon by Bishop Smyth's suffragan at Buckden, in 1496, and priest, by the same suffragan, in the following year. It may be taken that he had been educated at Oxford, for he proceeded Master of Arts in 1505, and on May 11, 1508, was elected Northern Proctor of the University. In the same year he was Principal of Little University Hall, and in 1511 of Black Hall, which stood at the west end of St. Mary's Church. He was also a beneficed pluralist, being presented by the Abbey of Godstow to the vicarage of High Wycombe on March 12, 1511,¹ and by Bishop Smyth to the rectory of Winwick, in

¹ Lipscomb, *History of Bucks*, iii. 649.

Northamptonshire,¹ in December, 1512. That to the last he stood well with Bishop Smyth is evident from the fact that on July 31, 1513, some five months before the Bishop's death, he was collated by him to the prebend of St. Botolph's in Lincoln Cathedral. At Michaelmas, 1512, he was Bursar of the new College, signing as 'Bursar of the King's College of Brasen Nose' on 15 January, 4 Henry VIII, 1512 $\frac{2}{3}$. As Bursar, he was deputed to take livery of seisin of the Bishop's great endowment of the estates of the Priory of Cold Norton on July 20th of the same year. The Bishop's friend and the College's earliest benefactor, Edmund Croston, another prebendary of Lincoln, left to Roland Messenger, by his will dated January 23, 1507 $\frac{7}{8}$, the use of all his books, while he should continue in Oxford,² and after that to the library of Brasenose, if any should be made within twelve years. Failing this, his three executors, of whom Roland 'Messenger' was named first, were to divide the bequest between them. He was third of the four who first became Fellows of the new College, John Haster, John Forneby, Roland Messynger, and John Legh, clerks. These, on October 20, 1508, with Richard Sutton, John Port, afterwards a benefactor, Ralph Legh, probably one of Sutton's nephews,³ John Sutton, the elder, and John Sutton the younger, the Founder's brother and nephew, were lessees from University College of Brasenose and Little University Halls. A stronger proof of the confidence at this time reposed in him by the Founder Sutton is to be seen in the fact that he was a feoffee to the use of Sutton's will of the estates in Leicestershire and Middlesex destined for the College. The date of this was July 15, 1508.

¹ This connexion with Northamptonshire furnishes a link, though a slight one, in the identification of the Comptroller of Wolsey's buildings with the ex-Fellow of Brasenose. In a survey of Christ Church property taken in 1526 occurs the following: 'Town of Northampton. A mese near the sign of the Swan and two tenements claimed by Rowland Messenger, parson of Wenlock, from which it may be inferred that he held a third benefice.' *Letters and Papers* IV. i. p. 986.

² Monograph I, 15.

³ See Churton, *Lives*, p. 455.

One further instance of Roland Messenger's position in the counsels of both the Founders remains to be mentioned. When the two were about to begin to build, they obtained a lease of a stone-quarry at Headington for the joint lives of themselves and Roland Messenger. Since Messenger had only been ordained deacon in 1496, he was, as compared to themselves, a young man and likely to survive as sole lessee.¹

Such are the principal incidents in the life of Messenger so far as known from Churton and from the College muniments. They afford no suspicion of distrust entertained towards him by either of the Founders, but the reverse. The writer has recently discovered documents among the Archives of the Court of Requests which, while they throw no light upon Messenger's relations to the College, give some glimpses into his character. Of these the first belongs to the year 1519,² when he was defendant in a suit brought by four persons 'with the hole company of Burgesys and Foryners of the town and borough of Gret Wycombe', that is, the entire population, both those free of the borough and the rest. This assumption on the part of the plaintiffs turns out not to have been justified, for, as the depositions prove and as Messenger retorted, 'this complaynt is contrare to the myndes of Master Maire and his breder(en) and many other sadde and discrete burges of the sayd town.' The grievance was that the defendant had put two kine to pasture on the common called the Rye. They were impounded by the inhabitants, but the pound was broken open by order of the mayor, Thomas Frere, and the cattle re-delivered to their owner's servant, he being 'at Oxford all this tyme'. Upon a second similar occasion the cattle were recovered by a replevin, and the vicar sued his adversaries at Common Law, with what result does not appear. The general conclusion from the depositions is that, as vicar, he had no right of pasturage on the Rye, but that a licence had been accorded by courtesy to a former vicar, and had been offered to Messenger on condition

¹ But the grantor being only tenant for life, the grant was 'vivente domino

² *R. O. MS., Court of Requests*, Mr. Hurst's Calendar, Bundle 6, no. 227.

that he signed a document to the effect that the privilege was not to be drawn into a precedent for his successor, to which he had declined to assent. Unfortunately, the judgements of the Court of Requests are, to a considerable extent, lost, and the issue of the dispute is unknown.

About the year 1530 Roland Messenger was involved as defendant in two other litigations, both in the same court. Of these the first, *Harrison v. Messenger*, was a suit by a plaintiff who describes himself as 'a power servyng man', this being doubtless by way of apology for his appearance in the Court for 'Poor Men's Causes'. He was, according to his own account, sufficiently well off to be freeholder 'of and in certain landes and tenements to the nomebre of xvj or xvij acrez in Chepyngwikham'. The vicar, nine years before, had endeavoured to induce him to let this land at 6*d.* an acre, exactly half its value, and, having failed to do so, had 'with force and extort power expulsed and put oute' the petitioner. The vicar's answer has a certain air of improbability about it. It is to the effect that he was the owner of twenty-seven acres of inclosed land, 'within whiche close the said compleynount hath by estymacon thre acres of lande or there abowtes.' He traverses the allegation that the land in dispute was the plaintiff's freehold, and apparently sets up that the plaintiff only had a 'profit à prendre', though he does not use the phrase, when the land was sown with corn every four or five years. Here, again, we are unfortunate in being ignorant of the judgement. All that can be said is that in both of these cases the Vicar of Wycombe is in the unfortunate position of being charged by his parishioners with aggressions upon their rights.

The third litigation, also before the same court, is a strong indication that Messenger was both high-handed and unscrupulous. It is the case of *Straunge v. Messenger*.¹ The complainant, John Straunge, sets out that he 'of late tyme was possessed at Cirencester of a salt of sylver parcell gilt to the value of vj^{li} xiii^{s.} iiij^{d.}'. This splendid piece of plate was stolen from his house by 'straungers called Egipcions which ot

¹ *R. O. MS., Court of Requests, Mr. Hurst's Calendar, Bundle 5, no. 322.*

late travelyd in this fair realme of England'.¹ The gipsies were arrested with it in their possession at Henley-on-Thames. When they were brought before Sir Walter Stoner, a magistrate for Oxfordshire, Roland Messenger appeared and complained that twelve months previously his vicarage at Wycombe had been robbed of 'certen plate and other goodes to the value of viij^{li} or more'. The gipsies denied any knowledge of this theft, but their 'cheif master . . . seid to master Walter Stoner knyght he was content to recompense the seid Sir Rowland for his seid plate and other stuff'. This audacious fiction was plainly invented to anticipate any possible charge that Messenger and the magistrate had conspired to rob the gipsies, who were not only, by their own sworn testimony, innocent of the theft from Messenger's house, but according to his own case, set up against the claim of Straunge, had bought the salt-cellar 'of certen persons of Reading as the seide master of the seid Egipcioons by a Byll of Sale then shewed . . . dyd afferme'. In short, Messenger persuaded the magistrate to hand over the salt-cellar to one John Arden, of Henley, to hold as a pledge. If within fourteen days the gipsies returned Messenger his stolen property, knowledge of which they persisted in denying, the salt-cellar was to be delivered up to him; otherwise it was to be restored to the gipsies. The end of this nefarious transaction was that Messenger secured, according to the defrauded owner, John Straunge, both the 'salt and other plate', for the restitution of which Straunge invoked the Court, it can scarcely be doubted, with success.² Whether this were so or not, the story, even as told by Messenger himself, shows that he was not a person troubled by nice scruples.

It has been suggested by Churton that the exclusion of Roland Messenger from the College may have been due to disapproval on the part of Sutton of his retention of his Fellowship in conjunction with at least three ecclesiastical

¹ This clearly alludes to the 'Acte concernyng Egypcyans' of 1530 (22 Henry VIII, c. 10) expelling them the realm upon sixteen days' notice.

² The Court of Requests, being a Court of Conscience, would not hold itself bound by technical difficulties of the Common Law as to sales in market overt, if any such there were.

preferments. But, as Churton remarks, 'the terms and manner of his dismissal rather seem to indicate somewhat of warmth and displeasure.' It is, indeed, possible that between him and Sutton a clash of opinion had made itself felt. In 1525, three years after Sutton's revision of the College statutes, and after Messenger's ejection from his Fellowship, we find him employed by Wolsey as one of two surveyors of his works at Christ Church.¹ His conduct as Bursar during the building of Brasenose had, doubtless, proved his qualifications for this post. It is probable, too, that he had been acquainted with Wolsey during residence at Oxford. Wolsey had come forward as a favourer of the new learning, while Smyth and Sutton had erected their College as a fortress of conservative orthodoxy. Six months before Sutton's death, Wolsey had obtained from Pope Clement VII a bill authorizing him to suppress St. Fridewide's for the purpose of converting it into a College representing the spirit of scholarship and inquiry which the partisans of obscurantism were assailing with riot and ridicule. It is probable that the Cardinal's intentions were already known, and Sutton, the steward of Sion, to which house he bequeathed £20 and some houses at Brentford, must have been strongly out of sympathy with this ruthless despoiler of twenty-nine monasteries. His favourite lament, as the Duke of Norfolk tells us,² was 'Non est amplius fides super terram', the cause of the degeneracy of the times. If, as Churton notes, there was 'warmth and displeasure' in Sutton's attitude to Messenger, what more likely than that it should have been provoked by Messenger's open alliance with this powerful propagator of heretical³ and subversive innovation? In the event of Sutton's death, such a patron's irresistible influence might force him upon the College once more, and speedily render abortive the object for which it had been called into being.

¹ *Letters and Papers, Henry VIII*, IV. i. 1499, 26. In 1530 he was Comptroller of the works, *ibid.*, p. 986.

² *Letters and Papers, Henry VIII*, XII. ii. 291. 20 July, 1537. Norfolk to Cromwell.

³ 'Cave ne hereticus fias' was Sir John More's warning to his son Thomas against the Greek learning.

Croston's contingent bequest is evidence that Messenger was a lover of books. It may have included the Greek grammar and Greek authors to be found in the earliest list of the books in the library. If so, Messenger was probably no 'Trojan'. Against the danger of his intrusion Sutton may have devised the astute precaution of making his exclusion an integral part of the College statutes and exacting an oath to their observance from every member of the House.

IV

Basset's Fee

The estate first purchased to form, it may be presumed, an endowment for the contemplated College, was Basset's Fee, acquired by Bishop Smyth on February 3, 1505, through the medium of Edmund Bury, Thomas Kay, clerk, and John Bustard, acting as feoffees in trust. In the following Michaelmas term a fine and recovery were levied by the bishop, Charles Bothe (chaplain to the Council of the Marches of Wales, over which Bishop Smyth presided, and in 1516 Bishop of Hereford), Robert Brudenel and William Grevill, serjeants-at-law, Edward Tyrell, esquire, Robert Toney, Edmund Bury, and John Daland. The deforciant was Thomas Bulkeley of Eyton, Cheshire, of whom the estate had been purchased for £150. It is described as consisting of twenty acres of meadow, one hundred and eighteen shillings and ninepence in various quit-rents, and the keep of a horse and a greyhound in Rewley Abbey, valued in the 'Rentale' at 5s. It was doubtless a part of the grant made by King John to Thomas Basset, son of one of the justices of Henry II, of the lordship of Hedendon (Headington), together with the Hundred of Bolendon and the Hundred lying without the North gate of the City of Oxford, called the Hundred of North Gate, which belonged to the manor of Headington.¹ In his will Bishop Smyth mentions the annual value of the estate as

¹ See the *Inquisitio de Hundredo de Bolendon* of Edward I (1279). Wood's *City of Oxford* (O. H. S. 1889), i. 336, 337.

£7 6s. 8d. net ('ultra reprisas'). This was in December, 1513. The Bursars' Rolls for 1515-16 enter it somewhat higher, at £7 8s. 4½d. A 'Rentale de Bassett's Fee pro anno integro',¹ probably not much later than 1524, gives it at £7 8s. 8½d.; though the items set out give a total of £7 2s. 8½d. In the Valor of 1547 the total suddenly falls to £5 8s. 4½d., which approaches Churton's figures; but this is to be accounted for by the omission of 'Northam', which brought in a rental of £2. Northam was one of three meadows of 60 acres in all, viz., Bradmore, Northam, and Linches, belonging to the manor of Headington,² and as such presumably to be reckoned as part of the Fee.

The 'rentale' of Basset's Fee above mentioned attests the piety of the great house of Basset, large landowners in Oxfordshire and founders and benefactors³ of the Priory of Bicester. The word 'fee' originally 'carried about with it a sense of military or noble tenure.'⁴ As used in the Bursars' Rolls, it may be taken as equivalent to a manor. Its revenues were all derived from rents paid by the freeholders of the fee. What immediately attracts notice in the list of these is that, with four exceptions, they are all, if we may include the Colleges, religious houses. The rent paid by the abbey of Osney is 26s. 8½d.; by that of Rewley, 5s.; by the Priory of St. Frideswide's, 16s. 8d.; by the abbess of Godstow, 8s.; by the Priory of Littlemore, 5s.; by that of Studley, 1s.; by New College, 2s. 2d.; by University College, 3s. 8d.; by the wardens of Hynkesey, 20s., this last item being set out in the *Valor* of 1547 as 'de terris nuper monasterii de Abyngdon vocatis Hynxhey medowe xxs.'⁵

¹ Cold Norton, 32.

² Inq. supr. cit.

³ Dugd. *Monast.* vi. 432. Wood's *City of Oxford*, ii. 24.

⁴ P. & M. *Hist. of Eng. Law*, i. 213.

⁵ In the Bursars' Rolls this rent is described as from the 'Gardiani de Hynkesey', and in a rental of 4 Henry VIII (1512-13) in Principal Yate's *Register*, f. 65, as from 'the wardens of the king's meadow by Botley'. I have not been able to trace the history of these wardens. Quaere whether a Basset constructed 'Botley causeway' and charged a toll farmed by the abbey of Abingdon. See Wood's *Oxford*, i. 319. The *Computus* of the Abbey of Abingdon in Dugd. *Monast.* i. 526, throws no light upon it.

Since land could not be devised by will, the Bishop gave the estate to the College during his lifetime. His will, dated December 26, 1513, refers to this. 'Item volo quod Principalis et scolares Aulae Regie et Collegii de Brasen Nose in Oxonia et eorum ibidem successores pro tempore existentes . . . habent et tenent ex donatione et concessione meis terras in eorum proprios usus perpetuo possidendas vocatas Basset's Fee in comitatu Oxonie.' The Bursars' Rolls indicate that the College entered into possession at Michaelmas, 1513, more than three months before the Bishop's death. The earliest Roll, that for 1515-16, reckons against most of the tenants arrears of two years due at Michaelmas, 1515. No less a sum than £3 11s. 6d. was in arrear. Arrears were a constant feature. In 1530 the wardens of Hynkesey owed £3 for the three years last past¹; St. Frideswide's at Michaelmas, 1526, owed 11s. 8d. a year for three years, a total of 35s. St. Frideswide's during these years was undergoing transformation from a monastery, which was suppressed in 1524, to a college which was suppressed in 1530. It is not surprising that at Michaelmas, 1529, St. Frideswide's was six years in arrear—the sum due being £3 10s. At Michaelmas, 1523, the Prioress of Studley owed nine years' rent, a total of 18s. If the religious houses themselves were slack in payment, so were the lay grantees who succeeded to their lands at the dissolution. The rent due from the 'occupator' of Studley to Basset's Fee was five years in arrear at Michaelmas, 1544, the Priory having been dissolved with the smaller houses in 1536. The arrears of the Priory of Littlemore are elsewhere recorded. University College appears to have paid its rent of 3s. 8d.² with commendable punctuality after 1516, when it owed for two years to Michaelmas, 1515, perhaps assisted to this virtuousness by the annual payment

¹ It may be suspected that the sum of £1 paid by the Wardens of Hynkesey represents the £1 0s. 6d. now paid to the College by Mr. Harcourt for land at that place, though the odd sixpence has to be accounted for. See Monograph VI, p. 10.

² This is stated in Monograph VI (p. 10) as 13s. 8d. But two years' arrears in 1516 are reckoned as 7s. 4d. and it is 3s. 8d. in the *Valor* of 1547.

of £3 from Brasenose College, due for Brasenose and Little University Halls.¹ But it is surprising to find, in 1517, a wealthy foundation like New College four years in arrear for its trivial 2s. 2d. due to Basset's Fee. New College, it is to be hoped, has now emerged from debt, but the quit-rents from the religious houses have disappeared altogether. 'Payments and quit-rents charged on particular estates attached to the property and were still recoverable (after the dissolution); but rents payable out of the estates general of an Abbey, when the Abbey was suppressed and the estates divided, were commonly lost.'²

V

The Estates of the Priory of Cold Norton

A priory of canons of the order of St. Augustine was founded at Cold Norton early in the reign of Henry II. If reliance can be placed upon a deed dated May 18, 1269,³ the spelling at that time was Chalde, i.e. Chaulde or Warm Norton, though another deed, probably not many years later, grants land 'Domui hospitali Frigide Nortune'.⁴ This hospital is called the hospital of the brothers of the hospital of Oxford,⁵ in another deed of about the same date to which Henry the Doctor' (Henrico Medico) appears as an attesting witness. If the recital of a deed of the fourteenth century is to be trusted, which makes a grant of land 'to the Church of St. John, apostle and evangelist, of the hospital of Norton and to the canons there',⁶ the hospital had by that time become absorbed in the Priory.

The extinction of the Priory illustrates the distaste for the monastic life which, with the return of civil peace, had come upon Englishmen. The Act passed in 1536 for the dissolution of the lesser monasteries⁷ speaks in its preamble of

¹ See Monograph VI, p. 8.

² Churton, p. 347, n.

³ Muniments, Cold Norton, 4.

⁴ Ibid., 5.

⁵ 'Inter portam meam & curiam fratrum ospitalis Oxon.,' *ibid.*, 12.

⁶ Ibid., 22.

⁷ 28 Henry VIII, c. 28.

religious houses with fewer than twelve inmates.¹ Notwithstanding that it enjoyed endowments to the amount of £50 annually, the Priory of Cold Norton, in 1496, was reduced to a Prior only, by name John Wotton, who died in that year. Not a single canon survived, and there existed, as a consequence, no capitular body to elect a new Prior. The house became derelict.²

The fate of Cold Norton Priory and of its possessions during the eleven years which followed escaped the researches of the indefatigable Churton. It has been, however, partly divulged by the discovery at the Record Office, in 1896, of a number of unsorted documents relating to the commission for inquiring into agricultural inclosures issued in 1517.³ From one of these, to which more particular reference will presently be made, it appears that the notorious Sir Richard Empson obtained a grant of the monastery, suffered its buildings to fall into decay, converted some of its arable land to pasture, and evicted twenty persons from their holdings. By the Act of 4 Henry VII, c. 19 (1489), 'agaynst pullyng down of Tounes', this was an offence, punishable not by forfeiture of the freehold, but of half the resulting profits. Except, therefore, by the sheer force of superior rapacity, it is unknown by what process Henry VII compelled Empson to relinquish his prey. All that is known is that on April 24, 22 Henry VII (1507), a jury was summoned at Dorchester by William Yong, the King's Escheator for Oxfordshire;⁴ that they found that John Wotton, late Prior of Coldenorton had been seised in fee of the possessions of the Priory, that he had died on the Saturday before Palm Sunday, 11 Henry VII (1496);⁵ that

¹ Cf. also Henry VIII's proclamation to the Lincolnshire rebels in 1536, *Letters and Papers*, Henry VIII, xi. 780, 'Many or most (of the religious houses suppressed) have not more than four or five religious persons in them and divers but one.'

² In the Chancery Proceedings of February 23, 9 Henry VIII (1518), consequent upon the alleged inclosure by the College at Cold Norton, the date of the dissolution of the Monastery is stated to have been March 6, 22 Henry VII (1507).

³ These documents are now sorted under 'Depopulation', and published by the writer in the *Domesday of Inclosures*, 1517 (2 vols., 1897).

⁴ On the royal revenue derived from escheats of ecclesiastical lands see T. Madox, *History of the Exchequer* (1711), chap. x, § iii, p. 207.

⁵ March 26.

for want of canons to elect a new Prior the monastery was dissolved, and reverted as an escheat to the king, having been as they alleged, without regard to its history, founded by, or at least under the patronage of, the kings his progenitors.¹ Another jury at Northampton, on April 30, following the Inquisition for Oxfordshire, sworn before Lambert Lancktre, the royal escheator for Northamptonshire, returned a similar verdict.²

In these Inquisitions the property of the Priory in the respective counties is set out. In Cold Norton there were the monastic buildings, the Church of the Priory, the manor, six messuages, 200 acres of arable, 1,000 acres of pasture, 60 acres of meadow, 20 acres of wood, and 40s. in rents. In the other parishes enumerated on p. 6 of the Bursar's monograph on 'The College Estates' there were 40 messuages, 4 mills, 40 acres of arable, 2,000 acres of pasture, 100 acres of meadow, 60 acres of wood, with rents of £9 13s. 4d.

On a comparison of the places enumerated by this Inquisition with those of the Bursar's monograph there are a few differences observable. The Inquisition enumerates, without specifying areas, land at Little Tew (parua Tua), Shipton, Dadyngton (Deddington), and Therne. Among the deeds in Principal Yate's *Register* relating to Little Tew, grants amounting to 63 acres are to be found, made to the Priory of Cold Norton at various times. But Little Tew is not mentioned in the Terrier of the Priory lands in the possession of the College drawn up not long after 1524,³ nor in the *Valor* of 1547. Nevertheless, a lease of October 10, 1 Elizabeth (1559), reckons Great and Little Tew as part of the Cold Norton Priory estate, to which they were apparently contiguous.

¹ Though their history was unsound, their law was good, for on the previous February 21 (1507), Hugh Croft, Esquire, probably heir at law of the founders, had released all his title to the king. Cold Norton, 37.

² The above is from an Exemplification dated February 17, 2 Henry VIII (1511), granted at the request of John Castell. Cold Norton, 40.

³ Cold Norton, 32. Conjectured by Mr. Hurst to be of c. 1440, but a comparison of the Tenants' names with those on the Bursars' Rolls for 1524-5 shows it to belong to the later date. Moreover, the dorse contains a terrier of Bassett's Fee, which never belonged to the Priory, but to the College.

This and the others are, perhaps, examples of Dr. Butler's remark on p. 3 of his monograph that 'the occurrence of totally distinct estate names in respect of the same property' proves a stumbling-block to researches. Shipton is recorded in the *Valor* of 1547 as bringing in £6 a year, but this represents an estate bought there in 1536. Nor do Dadlington nor Therne occur in any list or terrier. To these possessions the jurors added the Rectory and advowson of Stepylston.¹ The annual value of the total possessions of the Priory in Oxfordshire was £50, clear of outgoings. The escheator and jurors for Northants on April 30, 22 Henry VII (1507), returned two rentcharges as owned by the Priory in Thenford of the clear yearly values of 40s. and 1s. 8d. respectively; also a messuage, a virgate² of arable, ten acres of meadow and pasture and a croft³ there of the clear yearly value of 13s. 4d.—a total of 55s. They added that since the death of the late Prior neither the Rector of Thenford, who was liable in respect of a rentcharge, nor the occupiers of the virgate had paid any rent. The total clear income due to the Priory from Northamptonshire and Oxfordshire amounted to £52 15s.

King Henry VII, having thus acquired the possessions of the Priory, characteristically disposed of them to the best advantage. By a deed dated July 6, 22 Henry VII (1507),

¹ The manner in which the Priory of Cold Norton obtained this property is of interest as illustrating the effects of the wars and of the great pestilences of the reign of Edward III. The Prior and Canons petitioned the Bishop of Lincoln for help. They complained that their Priory was situate in a barren place adjoining two of the king's highways leading to London, and that they were consequently the victims of demands for hospitality on the part of intolerable crowds of wayfarers. The lands of the Priory lay untilled for want of agricultural labourers, its houses ruined by storms, and the Priory's resources were too slender to allow of their being rebuilt. As a consequence, the Priory was so overwhelmed with indigence and debt that, unless some provision were speedily made for them, the Canons would be obliged to wander into the world to seek food and clothing. Upon this representation the Bishop on May 25, 1377, granted them the Rectory of Steeple Aston at the next vacancy, which grant was confirmed by the Dean and Canons of Lincoln. The conditions were that the Priory should serve the Church, either by a Canon or a secular priest, and should pay the Bishop of Lincoln for the time being 13s. 4d. every Michaelmas, and, in the event of the see being vacant, should pay it to the Dean and Chapter.

² The virgate was an indeterminate area, generally about thirty acres.

³ Cattle shed, Spelman.

he granted the whole of them to Thomas Hobbys 'Decano libere Capelle Regie beate Marie Virginis sancti Stephani protomartyris infra Palacium Regis Westmonasterii et Canonici ibidem'.¹ Of this wealthy Collegiate Church, entirely distinct from the Abbey of Westminster, of which last Abbot John Islip was at this time the head, Bishop Smyth had been Dean, and, through the intimacy he must necessarily have enjoyed with its Canons, his attention was perhaps attracted to its new possessions as advantageously situate within convenient distance of the College which he was intending to found. The King's grant purported to be 'in liberam et puram eleemosinam imperpetuum'. Churton humorously remarks upon this deed that 'what from Henry was "free" was not always gratuitous'.² At any rate, the Dean and Chapter paid 700 marks (£466 13s. 4d.), in two instalments, one to the King himself on February 15 following, the other to Edmund Dudley, the colleague of Empson in extortion, on October 7, 1508.³

The grant to the Dean and Chapter of St. Stephen's enumerates the possessions of the Priory of Cold Norton with one addition. After reciting Thenford as one of them it adds 'et in Wydeforde in comitatu Glocestrie seu alibi infra regnum Anglie'.

In the hands of St. Stephen's the Cold Norton estate remained until March 14, 4 Henry VIII (1513). Negotiations had been going on for its acquisition by Bishop Smyth, to whom the Charter of foundation of his new College had been granted on January 15, 3 Henry VIII (1512). These negotiations appear to have been protracted by 'variaunces, stryves, discordes, debates and demaundes', for a draft indenture,⁴

¹ Yate, f. 10.

² The real significance of *liberam et puram* is not exemption from service and therefore from payment (Pollock and Maitland, *History of English Law*, i. 224-30).

³ The acquittances are not among the College muniments, but had been seen by Yate (*Register*, f. 11). The former date, as transcribed by Yate, may have been intended for 'XXII' as the year of Henry VII, but a comparison with the dates of the Inquisitions makes it evident that, if not so written, it should have been 'XXIII'.

⁴ Cold Norton, 38.

undated and unsigned, exists among the muniments by which a settlement of these is recited to have been at last arrived at through the mediation of Richard (Foxe), Bishop of Winchester, and Robert Brudenell, Humfrey Conyngesby, William Grevell, and William Fairfax, then Judges of the Court of Common Pleas. The indenture proceeds to convey all the possessions of Cold Norton, which it enumerates, including Wydeford, to Bishop Smyth for 1,150 marks (£766 13s. 4d.). For causes unknown the conveyance did not finally take this form. On March 19, 4 Henry VIII (1513), the Dean and Canons executed a charter of feoffment to William, Bishop of Lincoln, John Daland, and Richard Sparchford, clerk. The entire possessions of Cold Norton were confirmed to the feoffees, the recital including Wydeford, as granted to the Dean and Chapter by Henry VII's Letters Patent. On July 20, livery of seisin was made to the Bishop's attorney, Richard Wade, in the presence of various witnesses. Meanwhile, on May 8, 1513, Bishop Smyth and his two co-feoffees, in the same wide terms, conveyed the entire possessions of the Priory of Cold Norton, corporeal and incorporeal, to the 'Principal and Scholars of the King's Hall and College of Brasen-Nose',¹ and the College on the same date deputed Roland Messenger and John Forneby, clerk, to enter into possession.² The recital, as before, included Wydeford. On July 20 livery of seisin was given by Richard Wade to John Forneby and Rolande Messinger, clerks, as 'proctors' for the College.³

Although the history of the estates of the Priory at Shipton, Dadyngton, and Therne, has escaped the research of the writer, the mystery of Wydeford is easily solved. It will have been noticed that the Inquisitions, being for Oxfordshire and Northants, do not mention Wydeford, and there is no sign of an Inquisition having been taken of any estates of the Priory in Gloucestershire. The lists of the Priory's lands in Dugdale's *Monasticon VI*, i. 420-2, omit it. Nor is there any mention of Wydeford in the Bursars' Rolls, nor in the *Valor* of 1547,

¹ Cold Norton, 41.

² Ibid., 42.

³ Indorsed on Cold Norton, 41.

nor in Principal Yate's *Register*. But among the muniments there exists a deed¹ which explains the mystery why a property conveyed to the College yielded no return. By that deed, Simon, Prior of Cold Norton (between 1235 and 1283), granted all the lands and tenements of the convent in Wydeford and the advowson in fee simple in perpetuity at the yearly rent of a clove of gillyflower for homage and service. Such a grant was a subinfeudation, being prior to the Statute of 1290 known as 'Quia Emptores'. Wydeford, therefore, though it brought nothing to the chest of the Priory, could still be reckoned by lawyers among its possessions, the Priory retaining its seignorial rights, among which that of escheat might become a valuable property.

Among the muniments of the College is an agreement between the Abbot and Convent of Osney and the Prior of Cold Norton, dated March 20, 18 Richard II (1394), relating to the tithes of Thenford in Northamptonshire.² It recites that Osney Abbey had two parts³ of all species of tithes arising from the parish of Thenford, which of old belonged to the Church of St. George in the Castle of Oxford. Osney was of the same order as Cold Norton, that of Augustinian or Austin Canons. The Canons of Osney, as the recital of the deed tells us, found that 'difficilis erat collectio decimarum supradictarum, materiaque dubitacionis et contumelie multociens exinde oriebatur'. Cold Norton, therefore, having already an interest in the tithes of Thenford, purchased the abbey's share in the tithe at a fixed rate of 26s. 8d. per annum.

The claim of the Priory of Cold Norton to a moiety of the remainder of the tithes of Thenford had been in dispute since the middle of the fourteenth century. On April 8, 1344, the commissary of the Bishop of Lincoln had held the claim of the Priory good, and had ordered a fence to be thrown across the middle of the Rectorial Glebe to mark off the Prior's from

¹ Wydeford, 17.

² Thenford, 6.

³ The 'two parts', as will presently appear, refer to the two portions other than the portion belonging to the Rector and the equivalent portion already belonging to Cold Norton Priory. The whole tithe was divided into four portions, of which the Abbey owned two.

the Rector's share.¹ The Prior's rights were confirmed by the Bishop in the same year.² In 1441 the Prior granted the Priory's half to the Rector at a rent of four marks (53*s.* 4*d.*) per annum.³ The Rector's successor repudiated this arrangement, and, on the intervention of the Bishop in 1452, it was reduced to 40*s.* with a rent of 20*d.* to be paid by the Rector in respect of certain tenements.⁴ When Thenford passed into the hands of the dean and canons of the chapel of St. Stephen, Westminster, in 1507, a return was made to the old rent of 53*s.* 4*d.*⁵ But the Rector of Thenford, Thomas le Mere, adhered to his practice of paying no rent to any one. Year after year, when the tithes of Thenford had in law passed to the College, the Rector's liabilities accumulated undischarged. The College, however, when times were good, paid up its arrears to Osney.⁶ Nevertheless, in the Bursars' Roll for 1546-7 the Rector appears as owing for twenty-three years, £62 13*s.* 4*d.* It was but a poor compromise that on September 24, 1551, Principal John Hawarden succeeded in effecting with the next Rector, Thomas Nelle or Nele, who agreed to pay £5 in instalments of 20*s.* yearly.⁷ Nele, or Nelle, as he signed himself, we learn from later documents,⁸ died about 1553. Perhaps as a consequence of religious distractions, the living remained void for some nine years, the parsonage became dilapidated, and the tithes were unpaid. The College then entered into possession, converted the parsonage into two houses, and occupied the whole of the Rectorial Glebe by way of distraint. From this time a long legal struggle was carried on between the College and successive Rectors, the College having put a lay tenant into possession of the better half of the buildings and tithes.⁹ Laurence Bould, or Boule, the next incumbent, early in Elizabeth's reign, began a suit against the College but died, and it was continued in 1606 by the next

¹ Thenford, 3.

² *Ibid.*, 4.

³ *Ibid.*, 10.

⁴ *Ibid.*, 11, 12.

⁵ *Ibid.*, 15.

⁶ Thus, in 1531-2, when receipts reached the unprecedented amount of £155, the College paid up seven years' arrears, £9 6*s.* 8*d.* The entry in 1532-3 is 'pro decimis duarum parcium', which is only intelligible on the assumption that this tithe was divided into four parts.

⁷ Thenford, 18.

⁸ *Ibid.*, 30, 48.

⁹ *Ibid.*, 30.

Rector, William Osborne, who was presented to the living by Lord Chancellor Ellesmere.¹ The suit dragged on in the Court of Chancery till 1623, when judgement was pronounced by which, while the right of the College to the moiety of the Rectory was confirmed, the compromise of 1452 for 40s. and 20*d.* was declared binding.²

From what has been said it will have been apparent that in the interval between the escheat of the Cold Norton Priory estates and their conveyance to the College there had been a 'leakage', which had possibly been the subject of the disputes between Bishop Smyth and the Dean and Chapter of St. Stephen's. The Bursars' Rolls, quite apart from the possibility of a confusion consequent upon variations of nomenclature, attest this. The Inquisitions taken upon the escheat had certified the clear income arising from the estates of the Priory in Oxfordshire and Northamptonshire as £52 15*s.*³ If the 55*s.* represented by the moiety of the tithe and the houses and land at Thenford owned by the Priory be deducted, the net rental value would be £50. But the earliest extant Bursars' Roll, that for 1515-16, returns the rent received from Cold Norton at £35 5*s.* 3¾*d.*, while the Inquisition of 1517, to be considered presently, rates it at forty marks (£26 13*s.* 4*d.*). By 1524 it had improved to £36 6*s.* 7¾*d.* But the entry in that and the following year is eloquent of the Bursars' sense of loss. 'Iidem Bursarii onerantur pro terris dominicalibus prioratus de Coldnorton necnon pro omnibus aliis Terris et tenementis eidem prioratui modo pertinentibus vt per Rentale in pergamino similiter apparet particulariter xxxvi^{li} vj^s vij ob. qns' (£36 6*s.* 7¾*d.*). The same rent was received year after year, according to the Bursars' Rolls⁴. The entry in the *Valor* of 1547, 'Firma

¹ Thenford, 39.

² For the sale of the land and tithe at Thenford see the Bursar's monograph on 'The College Estates', p. 46.

³ This was probably only a rough estimate, and the commission did not explicitly command such a return.

⁴ e.g. in 1525-6, C. f. 3; in 1532-3, D. i. 21; in 1543-4, H. f. 1. There is a loose paper (Cold Norton, 32) headed 'Rentale de Coldnorton pro anno integro', shown by internal evidence to belong to a year not much later than 1524, which gives the total at £36 6*s.* 8*d.*

Manerii de Coldnorton cum omnibus pratis et pasturis eidem pertinentibus dimissis Lucas (*sic*) Longland per Indenturam datam primo die Maii Anno regni regis Henrici viij^{ui} xx^o pro termino xxx^{ta} annorum reddendo inde per annum xiiij^{li} iij^s iiij^d’ (£14 3s. 4d.), evidently refers to the demesne lands only, of which the net profits are returned at £13 7s. 6d.¹ Despite the large terms of the covenants by the Dean and Chapter of St. Stephen’s it would appear that there were outstanding liabilities which the College found itself compelled to pay. In the Bursars’ Roll D for 1529-30, f. 6, occurs the following entry:—

‘Et etiam solutum ad Scaccarium domini Regis apud Westmynster pro decimis perditis exeuntibus de Coldnorton xlv^s vjd.’

This entry suggests that the tithes had not been collected in some of the years during which the Priory lands had been an escheat, and that, on the principle ‘nullum tempus occurrit regi’, the College was made responsible for them. A like entry for 1530-1 (D. f. 13) is expressed to be ‘pro decimis exeuntibus de Coldnorton pro anno vij^o Regis Henrici viij’, i.e. for 1515-16. The amount then paid is xxii^s viij^d, which suggests that the payment in 1530 was for two years, that is, as from 1513, the date at which the College acquired the property. As, however, the Crown had parted with the lands in 1507, the claim must have been in respect of a prior date and must have been liquidated by the College in annual instalments. From what we know happened in the case of Thenford, unpaid tithe was likely enough to accrue upon a derelict estate.

Tithes were, indeed, then and long after a fertile source of disputes. In the Bursars’ Rolls for 1520-1 (A. f. 17) occurs the entry:

‘Et solutum Abbatie Gloucestriensi pro decimis exeuntibus de Coldnorton debitis dicto xij anno Regis Henrici viij x^s.’

This entry marks the settlement of a wrangle that had gone on for 132 years. The documents in the possession of the

¹ In the Rentale above referred to ‘Pro manerio de Coldnorton per annum £14 3s. 4d.’

College show that the Priory laid claim to the appropriation of the tithe upon its lands in the parish of Chipping Norton. The case was heard before an ecclesiastical court and judgment given in favour of the Priory on May 7, 1376.¹ Upon this an amicable settlement was arrived at, the Priory agreeing to pay five shillings a year to the parish church out of the tithes.² This settlement endured till 1516,³ when the College, as representing the Priory, was cited to appear in the court of the Archbishop of Canterbury. The plaintiff was the Abbot of Gloucester, whose house had appropriated the rectory of Chipping Norton. Bishop Smyth's successor in the see of Lincoln, Bishop William Atwater, was upon March 1, 1518, agreed upon as arbitrator.⁴ On April 12, 1519, he selected four assessors, two to represent either party to the controversy. These were Peter Lyngham, Doctor of Canon Law, and James More, B.D., Provost of Oriel, on one side; on the other, John Hygdon, D.D., President of Magdalen, and Edmund Hoor, LL.D. There is no direct clue as to which of the parties these respectively represented. The connexion of the Principal of Brasenose, Matthew Smyth, with Oriel, and the circumstance that Lyngham was the name in 1541 of a graduate of Brasenose, afford a faint presumption that the first pair were retained for the College. The Bishop decided that the College should make payment to the Abbey of ten shillings on February 24 of each year. The entry of 1520-1 was the first of these.⁵

Among other outgoings from the estate of Cold Norton appears a payment yearly of 10s. 4 $\frac{3}{4}$ d. or in 1531-2 and 1543-4 of 10s. 5d., which is also the sum returned in the *Valor* of 1547. In the Bursars' Rolls this is stated to be 'Dominiis de Chepyngnorton'; but in the *Valor* it is entered, 'Redditu resolutio ad capitale Manerium de Chepyngnorton.' This implies that Cold Norton, which was undoubtedly a manor and was returned as such in the *Valor*, was a subinfeudation of one or

¹ Cold Norton, 27.

² Ibid., 22.

³ Ibid., 31.

⁴ Ibid., 33.

⁵ In the Computus of the Abbey of Gloucester at the Dissolution this payment does not appear. Dugdale, *Monast.* i. 565. Nor is it in the *Valor*. Did the College compound for it?

more manors at Chipping Norton. From one of the College muniments,¹ it appears that in 1528 the manor of Chipping Norton was held by Sir William Compton, and there was also a contiguous manor of Overnorton, otherwise called the manor of Barkeleyes. With these two manors the Priory shared the right of pasturage upon the heath of Overnorton, and it may be that the words 'capitale manerium' in the *Valor* imply that one of these was a subinfeudation of the other. To both of them, if two only there were, it may be inferred that this quit-rent was due from lands belonging to the Priory. Other quit-rents paid out of the Cold Norton estate were 17*d.* and 2*s.* to the Bailiffs of the Hundreds of Chadlyngton and Wotton respectively as a composition in lieu of feudal dues.² The manor of Chipping Norton, as we know by the Inquisition already cited, was held of the king 'as of his Hundred of Chadlington'. There is not in the Bursars' Rolls any more precise indication whether the manor of Cold Norton was also held, as to a portion, of this Hundred, and, as to another portion, of the other.

Another outgoing from the Cold Norton estate was an annual payment to the Abbey of Bruerne in Oxfordshire. This appears in the earliest account in which it is preserved, that for Michaelmas, 1522, as a quit-rent ('redditus quietus') 'de terris in Dunthir(pe)' 16*d.* In the Roll for 1523-4, the entry takes another form: 'Et solutum Abbati de Bruera pro j libra piperis de redditu quieto exeunte de terris in Dunthrop' 16*d.* If the entries are accurate, it must be inferred that between 1524 and 1533 the College had built at Dunthrop, for the Roll of Michaelmas, 1533, enters the same item as 'pro j libra piperis exeunte de cotagio nostro in Dunthrop'. The fact of the dissolution of the monasteries is discernible in the entry for Michaelmas, 1544, 'Solutum occupatori nuper Abbatie de Bruera,' &c., and in the *Valor* of 1547 the 16*d.* is

¹ Estates, 2. Inquisition of 21 December, 20 Henry VIII (1528).

² This is set out in the *Valor* of 1534 of the Abbey of Bruerne in Dugdale, *Monast.* v. 500. 'Item resolutum est annuatim ballivo dicti domini Regis hundredi sui de Wotton pro capitali redditu, forinseco servicio et secta curie de manerio de Dunthorp predicto annuatim £1.'

stated to have been paid to Sir Thomas Pope, the founder of Trinity College. The abbot was lord of the manor and was also, on a small scale, a tenant of the College in the same place. The *Valor Ecclesiasticus* of 1534 for the Abbey returns,

‘Item resolutum annuatim magistro et sociis regalis Collegii nuncupati Brasynnose in universitate Oxoniensi annuatim exeuntes de et pro terris et tenementis in Dunthorp x^s.’¹

These are described in the *Valor* of 1547 as arable, meadow, and pasture, with appurtenances, and no mention is made of buildings. At that time the Abbot had been replaced by Humfrey Assheffield, who had in 1536 been granted a lease of thirty years, the Abbey having fallen with the smaller monasteries under the Act of that year.² The valuation of 1 lb. of pepper at 16*d*., while approximately fair for the years 1501–20, was below the market price of the decade 1521–30, which was about 1*s*. 9*d*., and of all subsequent years of the century.³ In this instance, as throughout the Rolls, the fact is borne in upon the reader that custom still prevailed over the commercial spirit, and that rents and dues, adjusted in bygone years, did not respond to the variations of prices and markets.⁴

The Priory, and, in succession to the Priory, the College yearly paid to the Sheriff of Oxfordshire ‘pro redditu quieto vocato Castell Rent ii^s’. Two questions arise upon this. Firstly, To what Castle was this quit-rent paid, and secondly, How comes such a liability to attach to land granted by King Henry VII ‘in free, pure, and perpetual alms’? About the answer to the first of these questions there cannot be much doubt. We know from Anthony Wood that the Castle of Oxford remained a royal castle from the days of Stephen, and that ‘the disbursement of moneys in the reparations or addition thereof was made by the Sheriffs’.⁵ The writer has

¹ Dugdale, *Monast.* v. 500. But no return is made of the 16*d*. for the lb. of pepper.

² 28 Henry VIII, c. 28.

³ J. E. T. Rogers, *Hist. of Agriculture and Prices*, iv. 688, 690.

⁴ The Abbey of Bruerne also received a pound of pepper, in addition to a money rent, at Swaclyf, in Oxfordshire. Dugdale, *Monast.* v. 500.

⁵ Wood’s *City of Oxford* (ed. A. Clark, 1889), I. xiv. 272.

not been able to trace the transmission of the manor of Cold Norton. It may be inferred that it came to the Priory, burdened with this service, known as 'castle guard',¹ which Fitzherbert held to be tenure by knight service.² The mere fact that it became ecclesiastical land would not necessarily relieve it from this liability.³

It has been seen that the king's grant of the Priory and its possessions to the dean and chapter of St. Stephen's had been in 'free, pure, and perpetual alms'. The reservation of a service was not inconsistent with such a gift, though there seems to have been doubt as to its consistency with a rent pure and simple. A 'castle-rent', however, being a rent in lieu of service, may be supposed to have been a continuing liability and, at any rate, neither King Henry VII nor his successor were persons with whom it was desirable to engage in a legal conflict. The annual 2s. was still paid at the time of the *Valor* of 1547.

Another outgoing from the Cold Norton Priory estate was the sum of 4s. annually paid to Sir John Hungerford, and after 1523 to his heir, Sir Anthony Hungerford, 'pro redditu quieto exeunte de terris et tenementis in Rollandright.' Among the muniments of the College is a licence in mortmain dated May 1, 44 Edward III (1370), granted to Ralph, Earl of Stafford, to assign 'manerium de Magna Rowlandryght' to the Prior and Convent of Cold Norton,⁴ which manor it expressly recites 'de nobis non tenetur'. It was, therefore, held of a mesne lord and, consistently with this, there is the usual clause 'salvis tamen capitalibus dominis feodi illius serviciis inde debitis et consuetis'. The 'redditus quietus', so called 'because thereby the tenant goes quit and free of all

¹ Though the Bursars enter it as a 'rent', and so it is termed in a receipt by Walter Mauntell, Esquire, late sheriff of Oxfordshire, dated Oct. 24, 37 Henry VI (1458), a receipt of 1564 is for 'castleward' (Cold Norton, 33, 48).

² See a learned note in Hargrave and Butler's edition (19th) of Coke's *First Institute* (Coke upon Littleton), f. 87 a.

³ P. and M., *Hist. of English Law*, i. 223. See also A. Wood, *City of Oxford*, p. 276, from which we learn that the Abbey of Eynsham paid 36s. 10d. to the use of the Castle of Oxford and 22s. to that of Cambridge.

⁴ Rollright, 54.

other services',¹ points to this superior manor as being at that time in the hands of the Hungerfords. Consistently with this, the *Valor* of 1547 speaks of this as a 'redditus resolutus' issuing 'de manerio'.²

This quit-rent of 4s. was not the sole rent to a superior manor issuing from the estate of the College at Rollright. By a deed printed in the Cartulary of St. Frideswide's, dated October 29, 1248, the Prior and Convent of St. Frideswide's devised to the Prior and Canons of Cold Norton 'totam terram nostram quam habuimus in hamello in Rollright', together with a virgate (a customary area of twenty or thirty acres), in Churchill, in fee farm, paying 27s. 6d. a year 'pro omni servicio et exaccione ad nos pertinente'.³ The land held by St. Frideswide's in Rollright appears to have been three virgates, a cotland of an acre, and a cottage.⁴ With the estates of the Priory, the College took over the liability to this quit-rent. But in 1522 St. Frideswide's was dissolved and the indisposition to pay dues to a dissolved house, apparent at Thenford, was felt even in Brasenose. The Rolls show that a payment was made of the 27s. 6d. in 1522-3 'pro anno fenito' ⁵ in festo sancti Michaelis Archangeli Anno xiiij Regis Henrici viij', i.e. to Michaelmas, 1522. At Michaelmas, 1528, six years' arrears were due, a total of £8 5s. The College paid five years' arrears, as appears from the Roll of Michaelmas, 1530, showing it to be then three years in arrears. Five years' arrears of 27s. 6d. amount to £6 17s. 6d. There was therefore left at Michaelmas, 1528, a balance against the College of £1 7s. 6d. By Michaelmas, 1530, the arrears, including this, would amount at 27s. 6d. to £4 2s. 6d. The College, however, pays £4 1s. for three years' arrears, that is, at the rate of 27s. a year.⁶

¹ H. Spelman, Glossary, 'Manerii domino annuatim persolvitur.' See also Blackstone, *Commentaries*, ii. 42. As will presently be seen, however, the use of the phrase by the Bursars is not always in the strict legal sense, but rather of any fixed rent.

² In the *Valor* the Bursars use the phrase 'Redditus resolutus' of any rent paid to a manor, distinguishing it as issuing 'de terris et tenementis' or 'de manerio'.

³ *Oxford Historical Society*, 1896, ii. 239.

⁴ See *ibid.*, i. 43; ii. 237-9; Dugdale, *Monast.*, ii. 148.

⁵ *Sic.*

⁶ The entry runs 'ad xxxvij^s per annum pro 3bus annis,' an uncommon instance

The solution of this puzzle, the disappearance of the sixpence from the payments of the College to St. Frideswide's, may possibly be found in the relations to the College of the Priory of Littlemore and of that Priory to St. Frideswide's. Throughout the Rolls, 1515-30, the Priory of Littlemore is entered as paying the College 5*s.* a year for land held of it in Bassett's Fee. The Priory was dissolved in 1524 to found 'St. Frideswide's College'. The sign of its dissolution first appears in the Roll for 1525-6 (B. f. 20)¹ when arrears are charged 'super occupatorem de Litilmore'. At Michaelmas, 1528, five years' arrears due are carried over at 25*s.* But neither at Michaelmas, 1529, nor in subsequent years, are arrears debited to Littlemore, though the 5*s.* continued to be paid to the College, as appears from the *Valor* of 1547. It may be inferred, therefore, that the 25*s.* arrears had been paid. Is it possible that an adjustment had been effected between the College and St. Frideswide's? There was due to the College from St. Frideswide's as representing Littlemore, at Michaelmas, 1528, 25*s.* There was due from the College to St. Frideswide's at the same date 27*s.* 6*d.* The arrears of 25*s.* are wiped out and the 27*s.* 6*d.* is reduced to 27*s.* Are these incidents connected? If so, the College redeemed sixpence of the rent-charge due to St. Frideswide's at the exorbitant rate of fifty years' purchase, but it may be that the liability of St. Frideswide's was disputed and that the College made the best bargain it could.

The financial relations between the College and St. Frideswide's were not confined to Littlemore. St. Frideswide's owed annually, though it rarely paid with punctuality, 1*l.* 1*s.* 8*d.* for land held of the College in right of Bassett's Fee. The entry of 1526-7 runs :—

'Et de manerio siue dominio sancte Frideswyde virginis pro eodem redditu de Bassettes Fee ad xi^s viij^d per annum pro iij^{bus} annis', &c., 'xxxv^s.'

in the Rolls of the use of an Arabic numeral. That 'xxxvij^s' is a blunder for 'xxvij^s' is obvious from the fact that thrice 27*s.* is £4 1*s.*

¹ Three years' arrears are entered, but the figure xv^s has been altered to x^s as if a year had been paid and the rest of the entry inadvertently left unaltered.

from which it would appear that the manor of St. Frideswide's was a subinfeudation. There is no system of separate accounts of St. Frideswide's with the College. The entries regard the estates, their income and issues, so that there is nothing to show that a general review of the financial relations of the two houses took place. At Michaelmas, 1530, St. Frideswide's was six years in arrears with its rent due from Bassett's Fee, amounting to £3 10s. No arrears are shown in the *Valor* of 1547, either from St. Frideswide's or other debtors. The interpretation of this omission, so foreign to the Bursars' Rolls, is doubtful. It may be that the College was not solicitous to increase its apparent resources by a statement of its potential assets. It is less likely that the fear of confiscation operated as an inducement to prefer creditors who were neighbours to the officials of a rapacious treasury.

In the opening of the year 1489 an Act was passed (4 Henry VII, c. 19) 'agaynst pullyng doun of Tounes'. It was the first of a series of measures intended to check the growing practice of converting arable to pasture, consolidating farms and, by eviction of the tenants, depopulating the countryside. The statute provided that in such a case, the king, or the lords of the fees, should 'resceyve yerely halfe the value of thyssues and profytes of ony suche Londes, wherof the house or houses ben not soo mayntaned and susteyned', &c. Had this measure been effectively enforced, the profits of the operation would have been so reduced as to prevent its inception. But it was not. A proclamation against ingrossing farms, issued in 1514, imputed the prevalent scarcity of grain and victuals to these causes.¹ All persons holding, as owners or occupiers, more farms than one were ordered to put into tillage all lands which had been arable in the first year of Henry VII.² Such houses as were occupied by agricultural labourers at that date were again to be tenanted. The proclamation proving ineffective, a temporary Act was passed early in 1515 'concernyng the pulling doune of Tounes',³ made permanent by a similar Act passed in the following

¹ *Letters and Papers Henry VIII*, i. 5727, 2.

² August 22, 1485—August 21, 1486.

³ 6 Henry VIII, c. 5.

November.¹ By the last Act, 'all touns, villages, borowes, and hamlettes, tythyng houses and other enhabitations . . . whereof the more part the first day of this present parliament² was or were used and occupied to tillage and husbandrye', were ordered to be rebuilt within one year. All lands turned to pasture since the same date were to be restored to tillage. Where a lord abstained from availing himself of the forfeitures imposed by the Act of 1489, his rights passed to the next superior lord. Two years later, the Government became aware that this measure was but another failure. A royal commission was accordingly appointed by Wolsey on May 28, 1517. Its business was to obtain returns of inclosures to pastures, destruction of dwellings, and eviction of inhabitants throughout the greater part of England since Michaelmas, 1488. The Commission for Oxfordshire sat at Culham (Culneham, Culnam) on August, 3, 1517, and reported as follows³:—

'Et quod sexto die Marcii anno regni predicti nuper Regis (Henrici Septimi) vicesimo secundo⁴ quoddam Monasterium de Coldnorton in Coldnorton in Comitatu predicto et quadraginta acre terre arrabilis⁵ in Coldnorton predicta ad monasterium illud pertinentes dissolutum fuit et postea scilicet sextodecimo die Junii anno supradicto Ricardus Empson Miles in Monasterium illud intravit et inde fuit seisitus ut de feodo et sic inde seisitus Monasterium illud et domus et edificia eorundem in decasum et ruinam fore permisit et que sic adhuc existunt ita quod iconomia que ibidem manutenere⁵ solet et debet vltcrius manutenere⁵ non potest per quod vnum aratrum deponitur et viginti persone habitationibus et occupacionibus depriuantur et tenementa illa valent per annum quadraginta marcas et Manaster⁵ et Solares⁵ hospicii siue domus de Brasenose in Oxonia tenementa illa modo habent et tenent in proprios vsus eis et successoribus suis imperpetuum. Et de quo vel de quibus tenementa illa tenentur Juratores predicti ignorant etc.'

From the Inquisitions held by the royal escheators it will be seen that the date, assigned by the jury sworn before the commission on inclosures, is wrong. The jury or the commissioners, familiar with the precedents of dissolving monas-

¹ 7 Henry VIII, c. 1.

² i. e. February 5, 1515.

³ For full details of these Commissions see the *Domesday of Inclosures*, 1517, 2 vols., 1897, by the writer.

⁴ 1507.

⁵ *Sic*.

teries to found Colleges, associated the two events in this case. That there is no mistake in the date assigned by Henry VII's escheators is assured by an *Inspeximus* of Henry VIII of their inquisitions, which repeats the date of the death of Prior Wotton as having occurred 'die Sabbati proximo ante diem dominicam in ramis Palmarum anno regni domini regis nunc vndecimo'.¹ What the jurors and commissioners of 1517 knew, was that in 1507 it had been granted by the Crown, and they inferred the grantee to be the holder in 1517, viz. Brasenose College.

By the terms of the commission certificated returns were to be lodged in Chancery within three weeks after Michaelmas, 1517. On February 23, 1518, a writ of 'scire facias' issued to the Sheriff of Oxfordshire to summon 'magistro et Scolaribus' to put in an appearance in Chancery within three weeks of the following Easter, to show cause why half the profits, &c., of the lands and tenements in question, since Empson entered into possession and so long as the ruined houses and buildings should remain unrepaired, ought not to pass to the Crown in accordance with the statute of 1489.² On this writ an answer was indorsed by the sheriff, Sir Edward Chamberleyn, knight, to the effect that the summons had been duly served. Below this indorsement is another stating that the 'magister et Scholares' had been thrice duly called in Trinity Term, on the quindene of Trinity (June 14) and the 23 and 26 June to appear before the Chancellor at Westminster, that they had not appeared, but made default. This is struck through with the note 'vacat per mandatum domini Cancellarii'.

The explanation of this procedure is to be found in a parchment slip attached by a parchment ligature to the writ of Scire Facias, showing that the College had not taken up an attitude of contumacy. This was a petition to the King

¹ Dugdale, *Monast.*, vi. 420.

² This demand shows that Empson was a grantee and not, as Dugdale assumed, only acting as escheator, for the Crown would, in that case, have helped itself to the whole profits. Further, the recital of the Inquisition of 1517 expressly states him to have been owner in fee.

by 'Mathewe Smyth' and the 'scholars' of the College 'that they may enioy the benefice and advauntage of hys graces fre pardon att hys late high Court of parliament graunted'. This refers to the General Pardon of 1515¹ which in wide terms protected the subject against processes by the Crown, as well as against 'contempts'. In this case they had, *prima facie*, acted in contempt of the Acts of 1489 and 1515. They went on to petition that they 'be admytted to bryng in proves that suche howses as be decayed and in Ruynes in their maner of Coldnorton . . . were in such decay and Ruynes before they came to the hondes and possession of our late sovereign lord Kyng Henry the vijth.', and further that they may 'bryng in plegges to be ferther ordered' by the court of Chancery.

On July 12, 1518, Wolsey, as Chancellor, issued a decree² that all who had pleaded the King's pardon or submitted to his mercy for inclosures should, within forty days, 'pull down and lay abroad' all inclosures and ditches made since 1 Henry VII (1485) under a penalty of £100. This was enforced by compelling those returned as inclosers by the commissioners to enter into recognizances to restore the houses and reconvert the inclosed pasture to arable within a fixed time. Accordingly, 'Matheus Smyth magister domus siue hospicii de Brasennose', appeared in Chancery on November 24, 1518 and entered into recognizances to the amount of a hundred marks (£66 13s. 4d.) to rebuild before Michaelmas, 1519, certain messuages at Cold Norton, upon which further proceedings were arrested by a writ of supersedeas.³

It is unfortunate that no record has survived of the cost of

¹ 7 Henry VIII, c. 11.

² Printed in *Domesday of Inclosures*, ii. 477.

³ *R. O. MS.*, K. R. Exch. Mem. Roll, 11 Henry VIII, Mich. Term, m. xxxvii. The Acts against inclosure were failures and there are signs that, at a later date, the College was a party to inclosures elsewhere. The manor of 'Genyns in Ealding and Westbramlyng', the last corrupted to 'Barmilyng and thence to Parmigent', in Kent (see Monograph VI, p. 20), was let for £4 4s. 2½d. a year in 1523-4 (B. R., vol. B. f. 3, ep. D. f. 9). In the Roll for 1527-8 are allowances 'pro decasu certe terre et tenementorum' there, and also at Faryngdon, and at Burow and Somerby in Leicestershire (C. f. 11). As 'terra' means 'arable land', this points to a 'decay of tillage' and of houses. A stronger case is in the Rolls for 1529-31. In the Roll for 1529-30 (D. f. 5) is an allowance of 8s. 'pro decasu certe terre in Cudlyngton' in 1530. In the next Roll (D. f. 11) is an allowance of vi^s viii^d 'pro decasu vnus cotagii in Cudlyngton' in 1531.

legal proceedings during these troubled years. But there is some evidence that the College fulfilled the obligation laid upon it to reconstruct the ruined houses at Cold Norton. If the letter of the bond were strictly observed, some of the cost of this perhaps appeared in the Roll for 1518-19, or, at latest, in that for 1519-20. The earliest entry of expenditure on repairs at Cold Norton, and that, unhappily, mutilated, is in the Roll for 1520-1 (A. f. 17).

‘*¹ (so)lut. pro *¹ *¹ domorum apud prioratum de Coldnorton ac pro necessariis reparacionibus circa eundem xlix^{li} xiiij^s vj^{ob}.’

The conclusion points to ‘reedificacione’ as one of the missing words. It was a great sum in those days, and probably only a second instalment. In 1521-2 it is reduced to £8 14s. 11d., still a considerable amount, after which for some years £3 12s. 9d. in 1524-5 is the highest expenditure. Nor does the general summary of the finances of the College² throw much light. Here, too, the years 1518-20 are blank; but the item ‘Payments and Allowances’ for 1520-1 has tripled since Michaelmas, 1518, having risen from a triennial average of slightly more than £50 to £183 13s. 0³/₄d., a sum never exceeded till 1543-4, an incontrovertible evidence of an expenditure on special objects.

The form of the entry quoted deserves attention. It is not the usual form, which is ‘pro diuersis reparacionibus factis apud Coldnorton’. It specifies the Priory. But the Priory was not ‘a house necessary for tillage’ within the Act of 1489, nor a ‘tenement of husbandry’ within the proclamation of 1514 or the Acts of 1515. This heavy expenditure upon its repairs was, therefore, not to satisfy the law but for some other reason. This reason may be inferred from a lease by Principal John Hawarden³ for twenty-nine years from Michaelmas, 1 Elizabeth (1559). By this the College let

‘all that their farme place syght⁴ of the manor and mese place of Coldnorton and all other ther howses and byldinges there’ . . . ‘excepted alwaies the lodgings and chambers adioininge to the Quadrant there, the pryncipall his chambre joyninge to the garden with the same garden, the

¹ Mutilated.

² See p. 175

³ Cold Norton, 47.

⁴ Site.

chamber over the gate, the hall, kychin, butterie with all other aesments occupied to the said principall and schollars and also a little stable, namyd parcell of the old byldinge there, all which . . . shalbe reserued and kept for the convenient vse and occupation of the principall and schollars of the said colledge for the time beinge at all times & as often as the pryncipall of the said hall and colledge or anie of the schollers of the same shall resort or come to Coldnorton aforesaid duringe the time comprised in this indenture.'

The tenant is to spend £20 within six years and to pay ten shillings yearly to the Dean and Canons of Gloucester.

Since there was no thought of finding in Cold Norton a second Stamford, what was the significance of these provisions for the reception there of the College, with its quadrant, or quadrangle, its buttery, and its kitchen? The answer is to be found in the statutes, cap. xxv, and in the Bursars' Rolls. By the statutes, there were never to be fewer than six Fellows in College, even in the Long Vacation, unless the plague or some other contagious sickness was in the place. In that case the number of Fellows remaining might be reduced to four, to be nominated by the six Senior Fellows. By cap. xvii, in time of plague, an allowance might be made for their commons to the absent Principal and Fellows. The plague was, indeed, an ever present terror. The words 'tempore pestis' are to be found in the Bursars' Rolls for 1522, 1523, 1525, 1526, 1527, and 1528. That the six Seniors were true to natural instincts and took good care of themselves, as of men whose ripe experience was indispensable to the College, appears from the Roll of 1521-2 (A. f. 22):

'Et solutum pro communiis sex Sociorum per spacium quinque septimanarum tempore pestis xxv^s.'

a total of 4*s*. 2*d*. a week for their commons during absence from Oxford. Upon this computation the £3 4*s*. expended for the commons of the six Senior Fellows 'tempore pestis' in 1522-3 points to an absence of something over fifteen weeks. The next entry in this roll runs:

'Et solutum pro communiis trium communium servitorum dicto tempore pestis et pro vado coci pro ij^{bus} terminis 1*j*^s. viij*d*.'

It was natural that the refugees should take servants with

them, but the language of the statutes was ambiguous upon the point. By cap. xxv, after enacting that even in time of plague, at least four discreet Fellows shall remain in College 'pro rebus et bonis ipsius Collegii conservandis' it is laid down 'pro quorum communiis parandis et aliis necessariis, etiam communes¹ servientes in ipso Collegio remanere volumus.' The six Seniors apparently interpreted this as meaning that enough servants and not more than enough were to be left for the service of those that remained, and that the rest were at their own disposal. And, subject to an appeal to the Visitor, the word of the six Seniors was law.

At Cold Norton, besides the Church attached to the Priory, there was a chapel, as Churton tells us, 'for the neighbouring laity'. The chapel is described in the lease by Principal Hawarden, already mentioned, as the 'chapell on the Hethe'. Both Church and chapel were at first served by a priest, 'Sacerdos', as he is described in the two earlier rolls in which mention of him occurs, viz. those for 1517-18 and 1521-2. Apparently a fresh appointment was made in 1525-6. In the Roll of that year he is described as chaplain, 'capellanus', and for three-quarters of a year's stipend received £4, whereas for a whole year £5 6s. 8d. was the stipend regularly paid throughout the period.² In the *Valor* of 1547 the minister is described as 'capellano celebranti et ministranti in Ecclesia parochiale de Colnorton', and the average annual expenditure by the College on consecrated bread and on wax used in the Church is set down at 11s. 8d. No mention is made of the chapel, yet we know from the Rolls that money had been occasionally, though not annually, laid out upon it. For instance, in 1526-7 is an entry of 6s. 8d. expended on wax, bread, wine, and other things; and in 1543-4 6s. on wax, bread, wine, and the purchase and repair of vestments. Now both these years were years of pestilence. It may be sus-

¹ Probably as distinct from the 'servientes ex scholaribus', who were appointed weekly by the Vice-Principal to wait at meals.

² In 1532-3 £4 13s. 4d. was paid; but it is not expressed, as is usual, to be 'pro anno integro', only 'hoc anno'. It may be inferred, therefore, that it was again a case of a new appointment, for in 1543-4 and in the *Valor* of 1547 the stipend remains at £5 6s. 8d.

pected that the exceptional expenditure on the Chapel was not unconnected with a migration of the College to Cold Norton. Six clerical Fellows in residence would naturally lend their services in the ministrations of religion, and the chapel, the absence of expenditure upon which suggests that it was neglected, would cease to be neglected. That there was a tendency towards neglect is discernible in the lease of 1559, which included the chapel on the heath and provided that the lessee should discharge the College 'of the findinge of a prest at Coldnorton' during his term. This can only refer to the chapel, which was already dismantled, the bells having been sold in 1540 for £10 1s. 8½*d.* On the other side of the account were the offerings to the pyx at Cold Norton Church appropriated by the College. The pyx was a vase in which the Host was reserved. Henry VII ordered pyxes to be made of silver-gilt, value £4 each, for every parish church in the realm not having one already.¹ Offerings were made to it. Those recorded in the Bursars' Rolls as forming part of the income of the College amounted to 12s. 4*d.* in 1524-5, rising to 21s. 2*d.* in 1531-2. Towards the latter end of Henry VIII's reign these offerings dwindled rapidly, and they are not mentioned at all in the *Valor* of 1547.

VI

The Benefaction of Mrs. Elizabeth Morley

The first person after the two Founders to confer upon the College the substantial benefaction of an estate in land was Elizabeth Morley, the widow of Robert Morley, citizen and draper of London, who died probably in 1508, his will being proved by his widow and executrix on May 27 in that year. Morley's house in London, it may be interesting to

¹ Churton, p. 307, n. b.

note, was a 'wyne taverne in the which he dwelt called the bell in the king's strete at Westminster'. Probably, therefore, he exercised a privilege of the citizens of London of following two trades, both lucrative, that of draper or cloth merchant and vintner or tavern-keeper. He was a north-countryman. His parents, according to Churton, were buried at Guisbourn (the modern Gisburn), which is in the West Riding; but the provisions of his will—among them a legacy of twenty nobles apiece to 'xx maydens in Cleveland, of his kin or alye'—indicate that this is a mistake for Guisboro or Guisborough, the principal town of the Cleveland district. He was a man of piety, since he left provision for 'a lowe masse of requiem' at St. Michael's, Cornhill, to be continued for thirty-two years, as well as an estate in Cambridgeshire in trust for an 'obit'. He appreciated the value of a University education, for he bequeathed to William Bate, son of William Bate, 'citizen and paynter stayner, towarde his fynde to scole at Oxford xx^s.'

Such being the bent of her husband's mind, it was not unnatural that his widow, who was his sole executrix and herself childless, should turn her eyes towards Oxford as a place of piety and learning upon which her wealth might be suitably disposed. She was herself pious, for her seal represents the Virgin in Glory, and was also probably illiterate, for, where other parties to a deed both signed and sealed, she sealed only. She was, perhaps, by birth a Sutton, for her husband left to his 'servant and cousyn Johane Sutton x marks sterling when she ys married', and readers of the *Paston Letters* or of Samuel Pepys's *Diary* will be familiar with the completeness of the adoption, in common parlance, as in Canon law, by each of a married couple of the relations of the other. The possibility, for it is no more, becomes a probability when we find her turning to Richard Sutton to advise her in her contemplated action.

Richard Sutton, it may be presumed, recommended his infant College, then some three years old, as a fit recipient for her bounty. Its resources were, indeed, exiguous. The earliest Bursars' Roll is that for Michaelmas, 1515, to Michael-

mas, 1516, the total receipts being £56 8s. 4 $\frac{1}{4}$ d. But this sum includes £2 13s. 4d. arising from Mrs. Morley's benefaction, and it must, therefore, be deducted from the income at the time that she consulted Sutton, probably in 1511 or 1512, as must also £6 13s. 4d., or ten marks, a casual gift by Sir Thomas Blount, entered in the later Roll. The total income, at the time of Elizabeth Morley's benevolent intervention, is thus reduced to £47 1s. 8 $\frac{1}{4}$ d.

Commissioned to look out for a suitable estate, Richard Sutton entered into negotiations with William Fermour, and, as much of what follows concerns William Fermour's personal character, it may be as well to introduce him formally to the reader. He is generally described as of Somerton, Oxfordshire, though in the conveyance to 'Richard Sutton of London Esquyer', dated 12th July, 4 Henry VIII (1512), he is styled 'Willyam Fermour of London Gentyلمان'. The difference between the styles of Fermour and Sutton may be accounted for by the fact that William Fermour was a younger son and, as such, not entitled to the style of 'Esquire', whereas Richard Sutton, though a younger son also, was one of those ranked by Camden in the fifth order of esquires 'quicumque aliquo superiori publico in Republica munere funguntur', being a legal assessor of the Privy Council. He was proud of his dignity, being described in the missal possessed by the College as 'Richard Sutton the Squier,¹ Stuerd of Sion'. It is probable, also, since a second 'R. Sutton' attests a declaration of a Use or Trust on the dorse of the conveyance above mentioned, as well as the Founder 'Ric. Sutton', that it was insisted on to distinguish him from a cadet of the family of the same names, who would be 'Richard Sutton Gentleman'.² Like Sutton, William Fermour was trained to the law and held a minor official position as 'coroner and attorney in the King's Bench', to which he had been appointed on June 1 1509. He was the second son of Thomas Ricards, but, like

¹ The comma is not in the original.

² Either a nephew or a great-nephew (R. Churton, *Lives of the Founders of Brasenose* (Oxford, 1800), p. 431). At this date probably a nephew.

his elder brother Richard Fermour, bore the name of his mother, an heiress, probably as inheriting her estates. He was in 1511 and 1512 in the commission of the peace for Oxfordshire, and in 1512 also for the town of Oxford.¹ His brother 'Richard Fermour' indorsed the same conveyance. Since the Fermours were both closely connected with the business transactions of the College at this time, it is of interest to know that Richard Fermour was a merchant of the Staple of Calais, a wealthy trading monopoly, that, according to Churton, he 'raised a noble fortune and was the common progenitor of the Earls of Pomfret and the Fermors of Tusmore in the county of Oxford'. Richard Fermour, at any rate, shared the conservative views of the two Founders in matters of religion, for which he subsequently suffered Cromwell's displeasure. His history does not further concern the College, and may be read at length in the *Dictionary of National Biography*. The coat of arms of his family, which Anthony Wood describes as formerly adorning the hall of Brasenose, is more likely to have been his than that of his brother, both as the wealthier of the two, as the one more avowedly attached to conservative institutions, and the one against whom the College could have no cause of complaint.

Richard Sutton's negotiations with William Fermour terminated in a contract of sale called a 'bargain and sale', now before the writer, dated 12th July, 4 Henry VIII (1512).² As a good deal turns upon this deed, it is desirable to set out some parts of it at large. It runs as follows: 'This endenture made the xiith day of July the fourth yere of the Reigne of Kyng Henry the eight Bytween Rychard Sutton of London Esquier on the one partie and Willyam Fermour of London Gentyلمان on the oder partie,' and proceeds to record a bargain and sale by 'William Fermour for the somme of an hundreth powndes sterling to hym by the forsaid Rychard in hand well & truly content & paid wherof he knowlegith

¹ The rest of his biography may be seen in the writer's *Select Cases in the Court of Requests* (Selden Society, 1898), p. 173, n. 4.

² Muniments, Faringdon, 41.

hym self by theis presentes to be Content & satisfied', and the purchase by Richard Sutton of 'all that his landes & tenementes manors, Rentes Reuersions seruyce and heredytamentes with the appurtynaunces sett & lying in gret Faryngdon Westbroke and Fernham within the Countie of Berks, wiche the said William late bought & pourchasyd of Edmund Bury Gent. & Johane his wiff' in fee simple 'with all Euydences mynymentes Charters and Courtrolles wiche the said Willyam or any person to his vse hathe or conveniently may have concernyng the premisses or any parcell thereof And also the said William Cvenauntyth & grauntyth to the said Richard by theis presentes to make or cause to be made before the Fest of the Natyvitie of our lord next commyng to the said Richard Sutton . . . a sure sufficient & lafull estate in Fee symple with a clause of Warantize of all the landes tenementes manors Rentes Reuercions seruyce & heredytamentes' discharged of all obligations . . . 'And Furthermore the said William cvenauntes & grauntes vnto the said Richard that the sayd Laundes Tenementes & heredytamentes be of the yerly value of v^{li} xv^s Except Ten shillynges Rent Wiche the abbott of Bewley makith clayme to haue yerely out of the said Laundes and hathe not bene payd vnto hym by the space of Trytty yeres & more.' The indenture is signed 'Per me William Fermour'. It was followed by a bond of the same date to the amount of 200 marks (£133 6s. 8d.), which William Fermour was bound to pay to Sutton at the following Michaelmas in the event of his failure to fulfil the conditions of sale. An indorsement upon the indenture of bargain and sale runs as follows:—

'Memorandum that the within namyd Richard Sotton declarythe & knowlegithe a fore vs William Fermour Richard Fermour & William Bolcombe that all cvenauntes within this present Indenture contayned be only to the vse of Elizabeth Morley wydow & of her heires & assignes.

R Sutton Willm. Fermour Ric. Sutton

Richard Fermer

Wyllam. Bolcom

Wyllm. Geyffrey.'

It will have been observed that the whole of the lands in question are recited to have been recently bought by Fermour

from Edmund Bury and his wife Johane or Joan. The stipulation of Sutton for the delivery of all muniments and evidences enables us to see of what that purchase consisted, and also, which is relevant to the history of the College, introduces us to Edmund Bury and his wife. Edmund Bury is described in deeds of 1503 and in one of 1507 as of Windrush (in a variety of spellings), Gloucestershire, gentleman. In 1506 he is of Brightwell, Oxfordshire, an indication that he had property at both places. He is mentioned in 1507 by Oriel College, in a letter of thanks to Bishop Smyth for a contemplated endowment as 'Edmundus Bury tuus famulus diligentissimus' (Churton, p. 232). He had been selected by Bishop Smyth in 1505 as one of the Trustees of his newly-acquired estate of Bassett's Fee, intended for the College. His fortune had been amplified, if not acquired, by his marriage, at some date prior to November, 1464, with Johanna, Joan, or Jane, daughter and heir of Thomas Pynchepole, who at that time was probably dead. This is attested by a lease of 23rd September, 2 Henry VII (1486), cited by Churton (p. 424, n. p.), from Principal Yate's book which, unfortunately, is no longer to be found among the muniments of the College.

After the conveyance of July 12, 1512, an interval elapsed of more than a year. It is not improbable, for reasons which will presently appear, that this interval was spent in litigation between Sutton and Mrs. Morley on the one side and William Fermour on the other.

It will be remembered that William Fermour had parted with all his interest to Sutton to the use of Mrs. Morley; he had warranted to make an estate discharged of all obligations, and he had averred that, in effect, the estate conveyed was so, notwithstanding a legendary claim on the part of the Abbot of Beaulieu. It is also to be noticed that the common form is used, 'lands & tenementes manors rents,' &c., and a manor is implied in the words 'Euydences mynymentes Charters and Courtrrolles'. This recital was suggestive and was intended to be so. The suggestion becomes explicit in the next document in the College archives. This is a lease dated 20th August, 7 Henry VIII (1515), for a term

of five years at £5 per annum to 'Mathewe Smyth Principall of the Kynges Hall & College of Brasynnose in Oxford & the scolers of the same'. The estate leased purports to be the lessors' 'manour of Pynchepollys in Chepyngfaryngdon & all theire laundes tenements & hereditamentes in Chepyngfaryngdon Westbroke & Farnham within the Countie of Berkshire wiche late were Edmond Bury & Jane his wiff or any of theym'. The lessors are Elizabeth Morley and William and Richard Fermour. This deed was followed up by another between the same parties, dated 20th May, 9 Henry VIII (1517), by which, in the form of a release, the estate was conveyed to the College in fee simple with a separate warranty of title by William Fermour.¹ This document, a deed poll in Latin, was originally drafted as releasing all the interest of the grantors 'de & in manerio de Chepyngfaryngdon'. Interlined before 'Chepyngfaryngdon' in another ink, and perhaps in another hand, are the words 'pynchpollys in'.

What was this manor of Pynchepolys or Pynchpollys with its charters and court rolls, not one of which ever reached the College? Richard Sutton's stipulation that the muniments should be handed over was duly carried out, and they enable us to trace, with a tolerable amount of certainty, the history of Fermour's bargain. The land or manor, which he sold to Sutton, acting on behalf of Elizabeth Morley, on July 12, 1512, had all of it, as the recital says, truly enough, been 'late bought of Edmund Bury Gent. & Johane his wiff'. It becomes then material to ascertain what it was that Bury and his wife had to sell.

The evidence that this manor of Pynchepolys was an invention of the astute Bury is both negative and positive. The negative evidence consists in the fact that the date of the earliest document in which the 'manerium de Pynchepolys' occurs—its conveyance by Bury on 30th May, 3 Henry VIII² (1511), is the thirty-seventh in chronological order among the

¹ Enrolled in the Close Rolls, 10 Henry VIII, no. 1.

² Part of the recital in the document presently to be described, numbered among the College muniments, Faringdon, 37.

documents delivered over to Richard Sutton by William Fermour as the muniments of the manor, and yet in not one of these is the existence of such a manor positively stated. The very name of Pynchepolys, attached by Bury to his manor, had not been long associated with the lands in question. The muniments date back as far as about 1220. The name 'Thomas Pynchpole and Katherine his wife' first appears in a fine of November 24, 1420, by which they convey land in 'Westbroke near Faryndon' to one Thomas Cokerell. An undated Terrier of Thomas Pynchpole, for the name is variously spelt, gives a list of twenty-six tenancies in Faringdon and Westbroke, most of them of one acre, purchased, probably in trust for his wife, through William Gylott, Thomas Faryngdon, and John Reder.¹ His estate, therefore, could not even claim to be that legal myth a 'customary manor'.² A reference to Dugdale's *Monasticon*, v. 603, shows that the lord of Westbroke was the abbot of Beaulieu ('de Bello Loco Regis'), probably as part of his manor of Faringdon.

There is, however, one small roll which at first sight appears to imply a manor of Pynchepolys, and which perhaps first suggested the existence of such a manor. It runs—

'Scilicet Faryndon m.³

'Curia Thome Pynchpole & Katerine vxoris sue tenta ibidem die Veneris proximo post festum sancti Andree apostoli anno regni regis Henrici sexti nono.'

'Homagium presentat,' &c., as is usual in court rolls.

The earlier lines of the document consist of a series of presentments by the homage, the latter of a 'rentale'. It winds up—

'Summa totalis cv^s ob.

De quibus in defectu redditus vt patet xxxv^s viij^d.'

It is endorsed 'Rentale Thome Pynchpole, Faryndon Magna'. The first observation to make upon this document is that the history of the manor of Faringdon is perfectly well

¹ Faringdon, 28.

² A manor in Ancient Demesne could not be either sub-infeudated or granted out as a 'customary manor'. See Vinogradoff, *Villainage in England*, p. 107.

³ Mr. F. Madan, Reader in Palaeography to the University, interprets this as either for *manerium* or for *magna*.

known. It was 'Terra Regis Edwardi' in Domesday, which made it a manor of Ancient Demesne. It next belonged to King Harold. It passed to the Conqueror and remained in the Crown till King John gave it to his new monastery of Beaulieu in the New Forest. (Dugd. *Monast.*, v. 683.) If this badly written and slovenly roll were part of the rolls of the manor of Faryngdon, it must represent the tenants on the estate of Thomas Pynchepole and his wife whose services are due not to him, but to the lord of the manor, viz. the abbot of Beaulieu. In that case, the significance of 'Thome Pynchepole et Katherine vxoris sue' must be topographical, like the 'Curia Ferie', the court of the Fair of St. Ives in the court-rolls of the abbot of Ramsey,¹ employed because the Pynchepole estate was in a ring fence and could be dealt with best in a single roll. Even if the words should be taken in their apparent sense, 'we hardly dare say that a person who has villein or customary tenants must have a manor.'²

There is no room for the interpretation that more than one manor may have existed at Faringdon. The manor of the abbots of Beaulieu at Faringdon included both Great and Little Faringdon,³ and, as will presently be seen, Pynchepole, so far from being lord of a manor, was not even a freeholder. The College has another document that belonged to him, a list not scrawled in haste, like the last-mentioned, but penned with care and at leisure. It begins as follows:—

'Faryndon

Westbroke &

Rentale Pynchepole de terris & tenementis Faryndon renovatis vltimo die Decembris anno regni regis Henrici vj^{ti} post conquestum Anglie tricesimo quinto.'⁴

In this document the word 'manor' does not occur. One tenant, a woman, holds a messuage, a columbary, and a barn in Westbroke 'per fidelitatem & redditum per annum ij s. ob.' But the use of the word 'fidelitas' proves nothing, for, as

¹ See F. W. Maitland, *Select Pleas in Manorial Courts* (Selden Society, 1888), ii. 154, &c.

² Pollock and Maitland, *History of English Law* (1895), i. 590.

³ Dugd., *Monast.*, v. 683.

⁴ i. e. December 31, 1456. Muniments, Faringdon, 23.

Spelman tells us, 'Fideles ministeriales sunt qui nullo accepto feudo, nullo praedio, servire tam ex pacto se obligarunt . . . alii in familia domini, alii etc.' Nor is the 'dominus' spoken of necessarily the lord of the manor.¹ When we read that 'Dame Capes lande' is 'ad voluntatem domini', she may have been simply a tenant at will, not a customary tenant 'ad voluntatem domini secundum consuetudinem manerii'. It is, however, quite possible that the heading 'Faryndon' does refer to the manor of the abbot, for Westbroke and Faryndon are different places, and Westbroke, whether a manor by itself or, as the first roll described suggests, a part of the manor of Faringdon, undoubtedly belonged to the abbot of Beaulieu.

Fortunately for the solution of the problem of the 'manor of Pynchepolys', feoffment and seisin were not adequate conveyances and the purchasers, Fermour's trustees, were compelled to seek assurance by fine. Whatever the nature of the estate named the 'manor of Pynchepolis', it had come to Edmund Bury in right of his wife. A feoffment by him could give no longer estate, at most, than his own life should last. By the statute of Gloucester of 6 Edward I (1278), and the statute or rule of court known as 'modus levandi fines' of ancient though uncertain date, a fine levied in the king's court was the only process by which to convey the wife's estate and to bar her right to dower. It became necessary, therefore, to levy a fine. The procedure had recently been revised by a statute of 1489 (4 Henry VII, c. 24) intituled 'An Acte for proclamacions to be made uppon Fynes'. By this Act it was ordained 'that after the ingrosyng of every fyne to be levied' (after 1490) 'in the Kyngis Court afore his Justices of the Comen Place of any Landes Tenementes or other Hereditamentes, the same fyne be openly and solempny redde and proclaymed in the same Court the same terme and in the termes thenne next folowyng the same ingrosyng in the same Court at iiij severall dayes in every terme', &c.

There has been one possible interpretation of Edmund

¹ Cp. the loose use of the word 'feud'; P. and M., i. 214.

Bury's 'manerium de Pynchepolys' which has been reserved to this place in my argument. It might be suggested that it was a case of sub-infeudation. It is not enough to answer that, if so, the sub-infeudation must have taken place prior to the statute 'Quia Emptores', passed in 1290, because after that statute a freeholder in fee could no longer make himself a mesne lord. The conclusive answer is to be found in the document in the College muniments already referred to, which shows how the conveyance was effected and demonstrates that the 'manor of Pynchepolys', so far from being a manor in the sense understood in the sixteenth century, was not even a freehold. Had the 'manor of Pynchepolys' been a freehold, whether a manor or not, the document of conveyance would have been simply the record of an ordinary fine levied in the Court of Common Pleas before what were called, as has been seen, the Justices of the 'Comen Place' or of 'the Bench', 'de Banco' or of the 'Common Bench', 'de Communi Banco', by which titles they were distinguished from the justices of the King's Bench, 'de Banco Regis.' Instead of this proceeding, the document which sets out what took place, dated 11th July, 3 Henry VIII (1511), is a long and elaborate parchment, an Exemplification under the Great Seal of England of a record of the Court of Common Pleas which is itself primarily a record of the levying of the fine already mentioned in the court of the abbot of Beaulieu at Faringdon.

What this document discloses is that the 'manor of Pynchepolys', while not a freehold was not an ordinary copyhold. Had it been a transfer of copyhold, conveyance would have taken the form of a surrender to the lord to the use of the purchasers according to the custom of the manor. But, as has been seen, the manor of Faringdon was a manor in Ancient Demesne. Now 'it is only the freeholders who are tenants in Ancient Demesne, and their land passes by common law conveyances without the instrumentality of the lord'.¹ The 'manor of Pinchepolys' was neither freehold nor copyhold. It occupied an intermediate position. It was a

¹ C. J. Elton, *Law of Copyhold*, p. 8.

'customary freehold'; in other words, 'land of base though privileged tenure.'¹

The 'Exemplification' which proves this contention recites the enrolment of the levying of the fine of 'the manor of Pinchpolys' in the rolls of the Bench, that is, the Common Pleas, in Trinity Term, 3 Henry VIII (1511). The process as enrolled and exemplified was as follows. The first step had been the appearance before the court of the abbot of Beaulieu in Great Faryngdon, of William Grevell, Edward Chamberleyn, William Fermour, Richard Fermour, John Bustard, Robert Spencer and John Spencer, clerk, who, as appears by another document, were trustees of William Fermour, on 30th May, 3 Henry VIII (1511). A fine was then levied in the usual form of a collusive action, Edmund Bury and Joanna his wife being the deforciant, in fact, the vendors, 'de manerio de Pynchepolys cum pertinentiis,' and three messuages, 200 acres (arable), ten acres of meadow, sixty acres of pasture, and a rent of ten shillings a year. A complaint was supposed to have been lodged by the vendors against the abbot's court 'falsum esse iudicium'. That this complaint was, like the rest of the procedure, a legal fiction is evident from the fact that the writ to redress the alleged wrong was dated 20th May, 3 Henry VIII (1511), that is, ten days before the fine was levied. This writ was addressed to the bailiffs of the abbot of Beaulieu at Great Faryngdon, and directed them to do full right ('plenum rectum teneatis') to Fermour and his trustees according to the custom of the manor, that is, the manor of Faringdon. The writ was called 'quoddam breve domini Regis, nunc de recto clauso', in common parlance, the 'Little Writ of Right Close', and was the peculiar privilege of Ancient Demesne. But, while a privilege, it only concerned land of base tenure. It derived its name from the fact that it was addressed to the bailiffs of the manor. The writ of a freeholder would have been a 'Writ of Right Patent' addressed to the justices.² The object of this writ was to provide a means by which the fine levied could be made

¹ See Prof. Vinogradoff, *Villainage in England* (1892), p. 94.

² Vinogradoff, p. 95.

‘of record’ in the King’s court and, therefore, in itself evidence and valid against all adverse claims.

In order that this writ might be effectively obeyed by the bailiffs of the abbot, a writ issued from the Court of Common Pleas directing the sheriff to watch the proceedings and to bring the record before the Court by the quinzaine of St. John Baptist, that is, July 8. Meanwhile another court of the abbot was fixed for June 20, at which the plaintiffs, the purchasers, by another legal fiction, were suffered to accept overtures from the vendors, who had in fiction deforced them from their estate.¹ Leave having been granted, half a mark (6s. 8d.) was paid as a fine to the lord, and Edmund and Joanna Bury recognized that the manor was the right of W. Fermour and his friends, who paid them 100 marks (£66 13s. 4d.).

This was the record which the sheriff returned to the Court of Common Pleas, before whom the attorneys of both parties appeared on July 11. The vendors appealed (collusively) against the procedure of May 30 in the abbot’s court on the ground that there was a technical irregularity in the form of summons to the court. They demanded a declaration by the Court of Common Pleas that the proceedings were void and that the manor should be restored to them. The justices of Common Pleas having decided against their contention, ‘ideo recordum predictum affirmatur.’ The record which included this fine was ordered to be enrolled among the proceedings of the Court of Common Pleas and exemplified under the Great Seal. By means of this maze of legal fictions William Fermour had at length secured an indefeasible title as against the Burys, the vendors. It was a *res judicata*.

It may here be objected that since the roll of the court of the abbot of Beaulieu at Faringdon described the land conveyed by the fine levied as ‘manerium de Pynchepolys’, a manor it must be taken to be. But the issue before the court at Faringdon, as before the Court of Common Pleas, was not as to the legal nature of the land conveyed. That, as has been shown, was assumed on all sides as being a base tenure

¹ This amusing series of fictions is set out in Blackstone, *Commentaries* (ed. 1766), bk. ii, ch. 21, p. 350.

which, though sometimes called 'customary freehold, is also described by Bracton and the early writers on law as privileged villeinage'. The theory of this privilege of these tenants in Ancient Demesne was that they were personally free sokemen who were the tillers of the king's soil.¹ The incompatibility of this idea with that of their being lords of manors within the Ancient Demesne need not be insisted upon. The reason why the bailiffs of the abbot at Faringdon raised no demur to the description of the Pynchepolys property as a 'manor' is because estates so described had probably figured on their rolls from time immemorial. 'In the thirteenth century the term *manerium* seems to have been no more precise than the term "estate" (as commonly used by laymen) is at the present day.'² But, though there was probably plenty of precedent for enrolling as a *manerium* what was no manor, yet when the issue of manor or no manor was plainly raised, the sixteenth century would demand, as William Fermour shrewdly foresaw, the alleged manor's court-rolls. On the day that the fine was levied in the abbot's court at Faringdon, May 30, 'possession and season was delyuered to William Fermour yn his owne persone according to thys dede yn Faryngdon and Westbroke by Edmond Bury yn his owne persone.' This is written in Edmund Bury's hand upon a strip of parchment attached to 'thys dede', a Latin deed poll dated 21st June, 3 Henry VIII (1511), beautifully written and apparently a holograph. 'Thys dede' is a deed of feoffment by which Edmund Bury grants to William Fermour and the trustees³ recited in the fine of May 30, '*manerium meum de Pynchepolys in magna Faryngdon . . . ad opus et vsum ipsius Willelmi Fermour heredum et assignatorum suorum imperpetuum.*' It is sealed with a seal bearing in a monogram T.P. which, it cannot be doubted, had belonged to Bury's father-in-law, Thomas Pynchepole. The document, which is subscribed, 'per me Edmundum Bury manu propria,' strongly suggests that Bishop Smyth's

¹ Britton, ii. p. 13. Pollock and Maitland, *History of English Law*, i. 367.

² P. and M., i. 584.

³ The deed, like the fine of May 30, recites the feoffees presumably in order of their rank, William Fermour, though the real grantee, being placed third.

man of business was, as might be expected, a trained lawyer.¹ It may be well to explain that a 'livery of seisin' was absolutely essential after a fine, unless the purchaser were already in possession. The deed of feoffment, which begins 'Noverint universi &c.', was 'an evidentiary, not a dispositive document'.²

There yet remains the puzzle as to the source of the original suggestion to Edmund Bury of the imposition of which he, at any rate, was undoubtedly guilty. It is perhaps to be found in the warranty clauses contained in two of his deeds of conveyance, the one the Exemplification,³ the other the deed poll of 21st June, 3 Henry VIII (1511).⁴ The warranty in the Exemplification runs as follows:—

'Et preterea iidem Edmundus et Johanna concesserunt pro se et heredibus ipsius Edmundi quod ipsi warrantizabunt predictis Willelmo Grevell, Edwardo Chamberleyn, Willelmo Fermour, Ricardo Fermour, Johanni Bustard, Roberto Spencer, et John Spencer clerico heredibus &c. predictum manerium &c. contra Johannem Abbatem monasterii beati Petri Westmonasteriensis et successores suos imperpetuum.'

The warranty of the deed poll was in similar terms.⁵

'The common form anciently,' remarks Churton,⁶ 'was to warrant an estate against the Jews. This alteration in the mode and terms of conveyancing seems to countenance a suspicion that the fraternities of monks, particularly of this affluent convent in the metropolis of the kingdom, were as formidable in this age to proprietors of land as the Jews had been formerly.' It happens, however, strangely enough, that a manor of Pinchpoles actually did exist, as well as an adjacent Farnham, and that both had but recently passed into the hands of John Islip, abbot of Westminster.

Henry VII, having laid the foundation of his chapel at

¹ It is numbered among the College muniments, Faringdon, 36.

² P. and M., *History of English Law*, ii. 82; J. Williams, *Law of Real Property* (18th ed.), p. 154.

³ Far., 37.

⁴ Ibid., 36.

⁵ A like warranty occurs in later deeds relating to other acquisitions by the College, and was perhaps transcribed by conveyancers unacquainted with the reasons for a warranty in this form, but adopted by them *ex majori cautela*. See Churton's *Lives*, pp. 381, 434.

⁶ Ibid., 434.

Westminster Abbey (January, 1502), proceeded to grant it lavish endowments, of which the trustees were the abbot and convent. In addition to numerous estates, he presented the Abbey for this purpose with £5,150 in money for the purchase of lands.¹ The Harleian MS. in the British Museum,² which records this, runs: 'Also (the Abbot) purchased with the said money of John Cutte the maners of Pynchpole . . . with divers lands and tenements in . . . Fernam in the county of Essex.' This manor is situate less than a mile to the north of Manuden, and, according to the historian of Essex, gave its name to an ancient family.³ It does not, however, appear that that family then held the manor, unless as equitable owners, since John Cutt and Edmund Dudley, probably as trustees, obtained a conveyance of it by fine in 1499.⁴ Fernam or Farnham lies a mile and a half south of Manuden and was itself a manor, at this time in the Crown. It may be that Thomas Pynchpole had in the middle of the fifteenth century held the manor of Pynchpole and land at Farnham, and that the deed conveying his former estate was couched in language so wide as to suggest a claim, or a possible claim, by the abbot upon his lands in Berkshire. The association of Pynchpole, Farnham and the abbot in two counties can scarcely have been a fortuitous coincidence and may very well have suggested to Edmund Bury the promotion of his base tenure to manorial dignity.

At Michaelmas, 1511, William Fermour, Richard Fermour, and Richard Wenman, who was probably their half-brother,⁵ purchased by way of fine 4 messuages, 4 gardens, 100 acres of arable, 20 acres of meadow, 40 acres of pasture 'in magna Faryngdon Westbrok iuxta Faryngdon & Farneham'. The fact that the conveyance was by fine and that the deforciants were Edmund Bury and his wife Johanna, prove that the estate alienated was part of her inheritance, and Faryngdon and Westbrok indicate that it had belonged to Thomas Pynch-

¹ By an indenture dated 16th July, 19 Henry VII (1504). See next note.

² No. 1498, f. 52 b. Printed in Dugdale, *Monast.*, i. 277, note d.

³ P. Morant, *History of Essex* (1768), ii. 662.

⁴ *Ibid.*

⁵ Churton, p. 443, n. m.

pole. No mention is made of a manor. It is particularly to be noted that this is the first time in the series of documents in which Farneham or Fernham is mentioned. It is not to be found in the 'Tenura Thome Pynchepole in campis de Faryngdon et Westbroke',¹ nor in his 'Rentale' of 1456.² For this purchase the Fermours and Wenman paid £40. At the close of 1511 William Fermour was legally or equitably owner of the two estates conveyed to him by Edmund Bury and his wife Joan, the one the so-called 'manor of Pynchepolys' with its 3 messuages, 200 acres arable, 10 acres meadow, 60 acres pasture, and 10s. rent; the other the lands in Great Faryngdon, Westbrok, and Farnham, consisting of 4 messuages, 4 gardens, 100 acres arable, 20 acres meadow, 40 acres pasture, and 10s. rent alienated by the same vendors. For the first he had paid £66 13s. 4d.; for the second, £40. The total area and tenements consisted of 7 messuages, 4 gardens, 300 acres arable, 30 acres of meadow, 100 acres pasture, and a rental of 20s. a year, and the total cost £106 13s. 4d. I have stated these details because I have failed to find among the College muniments any survey of the estate as originally acquired. The recital in the bargain and sale to Sutton in July, 1512, of Farnham as one of the places in which the lands and tenements alienated by him lay, proves that the land purchased from the Burys at the previous Michaelmas was included in the sale.³ A bargain and sale with the covenant to stand seised to Sutton, his heirs and assigns being at this time a contract to convey and not a conveyance itself, and Sutton having indorsed his declaration of trust for Elizabeth Morley, she transferred it to the College by the two deeds of lease and release of 1515 and 1517 already mentioned. To these William Fermour and Richard, as his 'fellow cognizee, were parties with herself. Wenman was presumably dead, or had perhaps never received livery of seisin.

The 'manor of Pynchepolys', it is now clear, was a fiction, and the motive for inventing it is not far to seek. A manor with its feudal casualties, its fines, its heriots, its reliefs, its

¹ Muniments, Faringdon, 38.

² Ibid., Far., 28.

³ Ibid., Far., 23.

escheats, and the dignity attaching to a manorial lord, was a more tempting property than a mere estate, to use the term with the connotation attached to it by auctioneers. Bury, a shrewd man of business employed by Bishop Smyth in the acquisition of land for his College, knew this well enough. It had been in his hands for many years, and it may be that at the time he effected his sales to William Fermour he had already offered it as a manor to other speculators and thereby procured for it current acceptance as such. But it is impossible to believe that he succeeded in deceiving William Fermour, himself a lawyer and a party to the proceedings in the manorial court of Faringdon. The question then suggests itself, Did Fermour deceive Richard Sutton? Practised lawyer though Sutton was, there are some indications that he did, though the point is by no means clear from doubt.

The obvious objection to the belief that Sutton was hoodwinked arises upon a review of the financial history of these transactions. Bury, it will be remembered, sold the 'manor of Pynchepolys' for £66 13s. 4d., and the rest of the property included in the lease and release to the College as part of the manor for £40. The total purchase money paid by William Fermour was, therefore, £106 13s. 4d. His concluding purchase was at Michaelmas, 1511. Yet on July 12, 1512, he sells the whole to Richard Sutton for £100.¹

Three solutions of this mystery are conceivable. The first is that Fermour was a bad man of business, glad to be rid of a poor bargain for the best terms he could secure. This is negatived by all that we know of his career. He amassed a great estate. He was in 1530 appointed a commissioner to inquire into Wolsey's possessions in Oxfordshire. Two years later he sold land at Shelswell, in the same county,² to John Claymond, President of Corpus, which formed part of Clay-

¹ It would appear that there was a burgage tenement in Faringdon, which had been bought by Edmund Bury with his own money for £3 6s. 8d. on May 6, 1503 (Far. 30), subject to a quit rent of 13½d. to the abbot of Beaulieu. It is doubtful if this was included in either of these conveyances, but either through them or by some independent conveyance it passed into the hands of William Fermour, and from him to the College.

² See Monograph VI, p. 24.

mond's benefaction to Brasenose. In short, he was throughout his life thoroughly familiar with dealings in landed property.

Nor is it easy to believe that Fermour abated his price in order, at a loss to himself, to gratify Mrs. Elizabeth Morley, the widow of a London vintner. The third solution is that the £100, the receipt of which was acknowledged by Fermour in the deed of bargain and sale of 12th July, 4 Henry VIII (1512), was a conventional sum, like the consideration of five shillings received in a modern transfer of shares. It will be remembered that a contract of bargain and sale was in itself imperfect as a conveyance, and it is not unreasonable to suppose that a balance of the purchase money would be withheld, to be paid over upon the completion of the transaction.

I have omitted from the solutions possible the suggestion that Richard Sutton had taken the trouble to examine the title and had abated William Fermour's demand of a larger sum. *Prima facie*, that solution is the most obvious of all, but there are strong indications adverse to it. It is tolerably certain that Sutton was overreached. He was deceived upon three points, as to the incumbrances on the property, as to its annual value, and as to the ownership of one of the parcels.

The deed of bargain and sale of July 12, 1512, enumerated, as will be remembered, with all the exuberant redundancies of common form, every possible kind of legal incumbrance of which William Fermour covenanted his estate to be free and discharged 'except the Rentes due to the Chiff lordes of the Fee'. At the end of the deed, after covenanting that the estate was 'of the yerly value of v^{li}. xv^s.', he adds, 'except Ten schillynges Rent wiche the abbott of Bewley makith clayme to haue yerely out of the said laundes and hathe not bene payed vnto hym by the space of Trytty yeres & more.'

The chief lord of the fee¹ was undoubtedly the abbot of Beaulieu.² It is amazing to find, in the face of this explicit

¹ Among the sokemen of the Ancient Domesne we find seisin 'in fee' freely asserted. P. and M., i. 213, n. 3.

² The *Valor* of 1547 returns 'Redditu Resoluto exeunte de terris et tenementis predictis ("Faryngton") annuatim soluto domino Regi ad possessiones suas nuper Monasterii de Bewley per annum xxx^s. vj^d.' But here, as elsewhere, it dis-

declaration, no fewer than five receipts, in years immediately prior to the date of William Fermour's bargain and sale, signed by the bailiff of the abbot of Beaulieu, for 'qwyte rent due vnto the said abbot'. The receipt immediately previous to July 12, 1512, is here set out as showing that it contains no acknowledgement of any manor held by Bury and as explaining the amount of the quit-rent which the College subsequently found itself called upon to pay.

'Memorandum that the xiith day of October in the second yere of the Reigne of King Harry the viiith I Robert Draper Bailly of the Reverend fadre in god Thabbot of Beaulley in the Countie of Southampton of his manor or lordshipp of Grett Faryngdon in the Countie of Berkes haue resceyued of Edmund Bury of Brightwell in the Countie of Oxford Gentilman & Jane his Wif doughter & heir of John Pynchepole xii^s of quwyte rent due vnto the said abbot for oone hooll yere endid at the fest of Saint michell tharchangell last past for all such landes & tenementes as the said Edmund & Jane as in the right of the same Jane holden of the same abbot within the said lordship of Faryngdon And also xij^d ob. of qwyte rent for oone hooll yere endid at the said fest of saint Michell last past for a burgage in Faryngdon aforesaid which the said Edmund purchasid of Sir William Boner prest.¹ In wittnesse wherof to this present bill I the said Robert Draper haue sett my seall & subscribed my name the day & yere abouesaid

Robart Draper.'²

From this it appears that whereas on July 12, 1512, William Fermour affirmed that no rent had been paid the abbot for thirty years, it had, as a fact, been paid regularly down to October, 1510, and in September, 1511, when Fermour had completed his purchases, was only one year overdue. That Fermour was called upon by Sutton or by Mrs. Morley to make good his covenant, at any rate for some time, is apparent from the next receipt, which is made out to him and is dated 12th January, 9 Henry VIII (1518) for 13s. 9½d. 'dewe to the sayd Abbot at the fest of Michelmas laste paste be fore the daye of makyng herof', that is, September 29, 1517. The receipt of the following year, the receiver being still 'Robart tinguishes a rent resolute issuing from lands and tenements from a rent resolute 'exeunte de Manerio', as in the case of Cold Norton. But both were paid to a manorial lord, that being the differentia of a rent resolute.

¹ See p. 94, n. 1.

² Muniments, Faringdon, 33. The signature is in an unclerkly hand.

Draper', is dated 18th October, 10 Henry VIII (1518), and is an acknowledgement of having

'resceyued of the Principall & Scolers of the Brasynnose within Oxford by the handes of Harry Rathbone xij^s ix^{ob} due to the seid Abbot for qwyte rentes gowing out of certain landes and tenementes in Faryngdon aforesaid belong¹ to the said Principall & Scholars of Brasynnose for oone hooll yere endit at the Fest of Saynt Michell tharchangell last past,' &c.²

Whether Fermour wilfully deceived Sutton or was himself deceived by Bury must remain uncertain. Other circumstances attendant upon his purchases from Bury suggest the second alternative. It will be remembered that he had excepted rents due to the chief lords of the fee, and he had left Sutton to thresh out the specific claim of 10s. for himself. It appears probable, therefore, that a compromise was arrived at—that Fermour paid the quit-rents due from October, 1511, to October, 1517, seven years, that is, to the time that the College became owners in fee of the property. Nor, it would seem, was another of Fermour's covenants justified by the facts, that the yearly value was £5 15s., 'except ten schyllinges rent' already discussed. It was not even worth the £5 5s. to which it was thus reduced, nor was the rent, as has been seen, 10s. but 13s. 1½*d*. The Bursars' Rolls shall be our witness. Of these the earliest, that for Michaelmas, 1515, to Michaelmas, 1516, sets the receipts from the Faringdon property at £2 13s. 4*d*. It will be remembered that in August, 1515, it had been leased to the College by Elizabeth Morley at £5 annual rent. Now the covenant of William Fermour who, as vendor, was not likely to underrate its yearly return, fixed it, as a maximum, with no quit-rent

¹ *Sic*.

² The expression 'The Brasynnose' recurs in the receipt by Draper dated 31st October, 11 Henry VIII (1519), (*Far.*, 44). It was evidently the common parlance, dating from the time when Brasenose Hall was, like other hostels, known by its sign. The composition of Elizabeth Morley recognizes this, the principal being styled as 'Principalem Aule regie et colegii de Brasynnose in Oxonia vulgariter nuncupati the Brasynnose'. The late Rev. Dr. John Fisher, Fellow of Magdalen, who died at the age of eighty-seven, in 1896, always asked the writer when they met, as they frequently did, in the Common Room of Magdalen, 'How are they getting on at "The Nose"?' He had himself for a time been a member of the College.

to pay to the abbot of Beaulieu at £5 15s. It is impossible, therefore, since the era of rising rents had not arrived, that this £2 13s. 4d. should represent a net surplus after the payment of the rent of £5. The rolls for Michaelmas, 1516, to Michaelmas, 1517, show receipts amounting to £4 6s. It must be inferred, therefore, that Mrs. Morley waived her claim to rent, and this inference is confirmed by the fact that, the College having acquired the fee simple in May, 1517, the receipts at Michaelmas, 1518, are £4 6s., as before. In that year, however, the very large sum of £22 14s. 6½d. was spent upon repairs. Unfortunately no accounts of this property have survived between that date and the roll for the year ending Michaelmas, 1524, when, as was to be expected, the rent had risen, being now £5 12s. 8d. At that figure it remained until the roll of 1544-5, when it fell to £5 4s. 8d., at which it stands in the Bursars' Roll for 1546-7. Notwithstanding this, the *Valor* of 1547 returns it as £4 5s. Its entry is, however, equivocal. It runs:—

‘Firmis omnium et singulorum terrarum & tenementorum pratorum et pasturarum cum pertinentiis in Farryngton . . . dimissorum Roberto Clotte per indenturam datam xxix^{no} die Septembris anno regni regis Henrici viij^{ui} xxviii^{uo} pro termino xxx Annorum a data dicte Indenture reddendo inde per annum iiij^{li} vs.’

The indenture referred to exists in the College archives, and is as set out.¹ It does not clearly state that the lands let are all the lands of the College in Faringdon. The next lease of this estate proves that they were not. It is dated 22nd November, 6 Edward VI (1552), and adds an acre of arable, 3 acres of pasture, ‘lately occupied by Thoby Pledall,’² an irreclaimable

¹ Far., 48.

² It would seem, however, that if the College had evicted Pledall, it was unable to retain possession. In the R. O. Chancery Proceedings, Ser. II, Bundle 24, no. 30, is a petition from the College to the Lord Keeper, Sir Nicholas Bacon, dated 23 January, 1565. It states that the College had been seized in fee of four acres upon Riden Hill, Faringdon, of the yearly value of ¾ for 44 years; that about 30 years ago divers deeds and muniments had ‘come into the handes of one Thobie Pledall Esquyre, who by colour of having the said evidences did about the same time unlawfully enter, and thereof hath taken the proffites to his own use by the space of 30 years’. I have not been able to discover the issue of this suit, but it looks like another case of Sutton’s bad bargain.

insolvent, so far as the College was concerned, and 'a platt of voyde grounde in the Shambles', the site formerly of a butcher's shop. No further addition to these parcels of land is to be found in later leases.

The inference from a comparison of the Bursars' *Valor* of 1547 with the rolls appears to be that in 1536 the College, not unnaturally, took alarm at the dissolution of the monasteries and followed their example in granting a long lease of most of its Faringdon estate in the hope that the storm would blow by; that it reserved a few small parcels of the estate, which formed the residue, either in its own hands or in the hands of tenants who, like Thoby Pledall or Pledyll, was twenty-four years in arrear at Michaelmas, 1546, his rent being 3s. 4d. and his debt to the College £4.

The *Valor* of 1547, however, has an item of 30s. 6d. 'rent resolute' ('reditu resoluto') paid to the king yearly 'ad possessiones suas nuper monasterii de Bewley'. That this was not an outgoing invented to reduce the apparent surplus income of the College from the Faringdon estate is clear from the fact that it appears as well in the computus of 1545-6 as in that of 1546-7. Either the Crown, after the dissolution of the monastery of Beaulieu, which took place on 2nd April, 29 Henry VIII (1538), arbitrarily increased the quit-rent of 13s. 1½d. due from the College, or the revenue officers discovered that some part of its Faringdon estate owed quit-rents which the Abbots of Beaulieu had neglected to exact; for there is no sign that the College had acquired more land at Faringdon. But what a commentary upon William Fermour's covenant that the estate was of the yearly value of £5 15s. is furnished by the entry 'et valet clare ultra Reprisas predictas per annum liiij^s vj^d', a net return of less than half the promised yield!

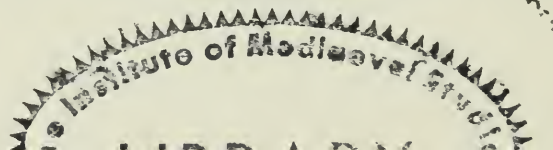
One further point remains to be noticed. No pretence is set up either in the lease of September 29, 1536, or in the *Valor* of 1547, or in the Bursars' Rolls, that the College possessed any manor at Faringdon, though the Rolls are careful to record rents 'de manerio de Cropredy,' &c. When the Crown had succeeded the abbot of Beaulieu as manorial

lord of Faringdon, a pretence of that sort might have involved risk, and the College is careful to describe the 30s. 6*d.* it pays to the Crown in place of the abbot as 'redditus resolutus', that is, rent paid to a manor, paid also in this case not as from a subinfeudated manor, but 'de terris et tene-mentis'. In the recital of the parcels of land let by the lease of 1536 occurs 'two closes of lande callyd Pynchpoll with appurtenances in Faryngton'. Nor is any indication discoverable that the College either enjoyed or attempted to exercise manorial rights until April 1, 1713, when Principal Robert Shippen, brother of the better-known 'downright Shippen', Pope's Jacobite friend, granted a lease of the property, one of the conditions being that a 'heriot' of £2 should be paid in seven years. But one swallow does not make a summer, and to nickname a fine a 'heriot' is not sufficient after the lapse of two hundred years to infuse life into a phantom manor.¹

It has been said that in the purchase of the Faringdon estate there were three matters in which Sutton had been overreached. Two of these, the charges upon the property and its annual value, have been already discussed. The third was as to the ownership of one of the parcels.

Notice has been directed to the fact that no mention occurs in the College archives of any land at Farneham or Fernham until, at Michaelmas, 1511, a parcel, of which the area is unspecified, purported to be conveyed by Edward 'and Joan Bury to the two Fermours and Wenman together with lands in Great Faryngdon and Westbrok'. Nor does Farneham appear again among the muniments save in the bargain and sale by William Fermour to Sutton of July, 1512. As this supposed property led the College to sue in the Court of Star

¹ A heriot was payable at the death of the tenant. The lease of April 1, 1713, stipulates that the tenant shall pay forty shillings 'for and in the name of an herriott over and above the rents before reserved at the desease of the said Christopher (Taylour) or att th'end of seven yeares which shall first happen'. This shows that it was not a heriot in the legal sense, but a fine. The lease was for twenty years. The premises consisted of a mansion called Evesham, in Westbrooke, 'and two closes there called Pinshpoles.' There is no suggestion of a manor or manor-house. Far., 66.



Chamber, its history, as recorded by the Bursars' Rolls, merits some attention.

Although Ferneham became the property of the College, together with the rest of Mrs. Morley's gift, by the deed of release of 1517, and had been leased to it in 1515, no entry with respect to it is to be found in the Bursars' Rolls until the Roll for 1524-5, when 'William Thaccher de Fernham' is entered as owing 8s. for the year ending Michaelmas, 1525. At Michaelmas, 1527, this debt had been reduced to 4s., being still entered as the debt due at Michaelmas, 1525, and being described as 'in arreragio super Willelmo Thaccher de Fernham pro tenemento suo'. The very next entry of arrears, however, is in a different form: 'Et super tenentem in Farnham pro tenemento in quo Willelmus Thaccher inhabitat,' a year's arrears of rent due at Michaelmas, 1526, 8s. These two successive entries disclose the event that had happened. The College had in 1526 let the holding, which we know from the Star Chamber case,¹ to be presently discussed, to have been twelve acres, to another tenant who had suffered Thaccher to remain in occupation of the house.² That tenant remains anonymous. He was followed after Michaelmas, 1528, by William Shylton, who may be inferred from the Star Chamber case to have left Thaccher in the house, but who at the next Michaelmas owed a year's, and at Michaelmas, 1530, two years' rent for the land. Such is the testimony of the Rolls, and it is confirmed by a bill of complaint on the part of the College filed in the Court of Star Chamber in 1530. On October 12, 1528, the College had let the land, according to its bill of complaint, as a tenancy at will to William Shylton at a yearly rent of 8s. A year's rent being unpaid at Michaelmas, 1529, Simon Starky, Senior Bursar of the College, levied a distress for 8s. on May 4, 1530. The distress was levied on the land, a mare being taken by the Bursar's servant, David Jankynson. The mare was being led to Great Faringdon, stated to have been two miles distant,

¹ *R. O. MS., Star Chamber Proceedings, Henry VIII*, vol. vi, f. 48, *Brasenose College v. Payneswyk and another*.

² In the Roll for 1527-8 is an item of 16s. 6d. expended on repairs 'apud Fernham'.

to be put in 'the opyn pownd'.¹ On the way 'on Robert Pawnswyke, other wise callyd Robert Clott, David Thowzprys, Roberte Balle, Thomas Seed with dyvers other rioutouse personz to the number of v or vj' were alleged to have attacked Jankynson. They were armed with daggers and other weapons, and, upon Jankynson's offering resistance, they wrested his sword out of his hand. For acting thus 'rioutously with force and arms', an allegation bringing the matter within the special cognizance of the Star Chamber, the College petitioned that a sub poena might issue against Pawnswyke, Thowzprys, and Seed. It may be noted that the counsel who drafted the case for the College bore the name of Edmund Molyneux, who in 1550 became a judge of the Court of Common Pleas.

The defence put in by Pawnswyke must have been another blow to the faith of the College, if any yet survived, in William Fermour.² Pawnswyke alleged 'that the said xij acres of lande . . . be parcell of the manor of Shrivenham Stalpyttes wherof one Thomas Umpton Esquyre and other be seased in ther demean as of fee to the only use of the same Thomas and of his heires'. He, Pawnswyke, was Umpton's bailiff, Shylton was Umpton's tenant. The distraint, illegal in its inception, was also illegal in its procedure. The intention of the Bursar's servant was 'to have ledde the same mare to the Town of Oxford beyng owte of the Shere where the same mare was taken'. 'Note,' says Coke upon Littleton,³

¹ The significance of this was that 'pound-overt' was a legal custody, into which the distress was to be placed, 'pound-breach' being an offence.

² He succeeded, however, in a subsequent transaction with the College, and with the intention, it may be, of compensating it for his previous shortcomings in proving himself, at first sight, better than his word. In 1536 he sold the College two messuages with six yerde lands (about 120-180 acres) and five closes in Mylton, Morton, Hynton, and Shipton under Wychwood, co. Oxon. The yearly value he covenanted to be £4 13s. 4d. and above. (Indenture of 8 March, 27 Henry VIII, 1536). Within three years the College, in respect of these lands, found itself defendant in an action by the Treasury before the Court of Exchequer (Michaelmas Term, 31 Henry VIII (1539)). I have searched the Rolls of the King's Remembrancer of the Exchequer, but have not been able to find the record. The College appears to have been successful, and the estate, if it be the same, is returned in the *Valor* of 1547 as worth £6 a year. See Monograph VI, p. 25.

³ 47 b. See 52 Henry III, c. 4.

‘that he that distraines anything that hath life must impound them in a lawfull pound within three miles in the same county.’ Oxford is nineteen miles from Fernham, and in another county. It was Pawnswyke’s duty, at the request of Shylton, to defend his master’s rights and to prevent a breach of the law, a breach so serious that in 1449 an Act of Parliament, restricted, it is true, to Lancashire and Wales, had made it a felony.¹ As for the riot alleged, at William Shylton’s ‘desire, request, and commaundement, the same defendant in peasable maner toke the same mare and delyuered yt to the same Wylliam as good and lawfull was for hym to doo’. The taking away the sword of David Jankynson was denied. Both parties, it may be observed, were offenders against the statutes² forbidding any to go or ride armed. If those statutes had ever been effective, which is to be doubted, the Wars of the Roses must have wellnigh obliterated the memory of them.

The defence put in by ‘Towpris and Sedde’, as their counsel names them, adds a few details to the picture. These two appeal to the commiseration of the Star Chamber against the oppressive conduct of the College, whose charges are ‘vntrue and vncharytably imagyned to thentent to put the same defendants beyng poor men of substans to cost vexacion and trouble without cause or grounde reasonable’. They deny riot, and tell in the main the same story as Pawnswyke. Their own intervention in the proceedings, to employ a neutral term, was unexceptionable in its character.

‘At last the same Dauyd Jankenson seruaunt of the said Starkey³ drowe owte his sward intending to haue streken the said Payneswyke which the sayd Dauyd Towpris perceyvyng beyng than and ther by chaunce present in peasable maner without any maner of wepon or armur about hym letted and interrupted the same Jenkynson of his purpose in that behalf and immedyatly aftre the sayd Thomas Sedde perceyvyng the drawyng of the sayd sward and heryng the noyse and rumour bytwyn the sayd Payneswyke, Sterkey and other approached nygh vnto them in peasable maner by reason that the same Sedde at that

¹ 28 Henry VI, c. 4.

² 2 Edward III, c. 3 (1328); 20 Richard II, c. 1 (1397).

³ Substituted for ‘Burser’, struck through in the MS.

tyme by chaunce happened to come that way from his plowe not thynkyng any maner of hurt to any person ther with whom he stode and abode vnto such tyme as the sayd persones were departed from thens.'

Both defendants deny that they 'toke away the sayd mare from the sayd Bursar or the swerd of the sayd Jenkynson'. Their plea depicts the Bursar of Brasenose leading the mare and David Jankynson acting as his bodyguard.

The document following these defences is, 'The Replicacion of the princypall and scolers of the Kynges hall and College of Brasynose in Oxforth to the answer of Robert Payneswyke.' They set out their claim to the land in dispute. They 'say that they be and haue byn lawfully seasyd by the space of vij or viij yeyres or more in there demeane as off Fee in the Ryght of there seyde college of and in the seyde xij acrez of land or thereabouts'. If this statement is to be taken literally, it is inexplicable. There is no document in the muniments of the College relating to any acquisition in fee of land at Farnham save, as already mentioned, in 1517. But the petition of the College was filed in 1530, thirteen years later. On the other hand, the Rolls, which are not complete, first show rent from Farnham as due to the College in 1524, six years before the petition. It might be suggested that a lessee had been in possession at a peppercorn rent till 1524. This may have been so, but besides the fact that there is no evidence of it, the question at issue was a question of ownership in fee. The only solution I can proffer is that the counsel who drafted the replication, ignorant of the date of the acquisition of the land, but aware that the College did not 'prescribe' for it, that is, claim ownership anterior to legal memory, was satisfied to state a number of years sufficient for a claim which ultimately rested on a documentary title.

Upon the other points the College formally traversed the pleas of Pawneswyke's defence, among them the claim advanced to the land on behalf of Thomas Umpton. It denied that Shylton was Umpton's tenant; it denied the imputation that the Senior Bursar and his bodyguard were contemplating a march of nineteen miles with the captive mare to Oxford.

It concluded with the prayer 'that the said payneswyke may have condigne punyshment accordyng to hys demeritt and [be] compellyd to make them a sufficient amendes and recompense for the wronges costes and damagez that they have susteynyd by occasion or cause of hys sayd misdemayner'.

The defence of the other parties to the suit had suggested that the action of the College in bringing them before the Star Chamber was vexatious. It was probably intended to be, and was interpreted by the College as being, a covert demurrer to the jurisdiction of the Court to try a case involving title to land. To demur openly to the jurisdiction of the Star Chamber was not altogether without its risks both to the pleader and the cause. As a Brasenose Lord Chancellor, the first Lord Ellesmere, is concerned, I venture to quote an instance of this with which his name is associated.

'I well remember,' says Hudson, the historian of the Star Chamber, 'that the Lord Chancellor Egerton would often tell that in his time, when he was a student, Mr. Serjeant Lovelace put his hand to a demurrer in this Court, for that the matter of the bill contained other matters than were mentioned in the Statute of 3 Henry VII (c. 1) ("Pro Camera Stellata"), and Mr. Plowden, that great lawyer, put his hand thereto first, whereupon Mr. Lovelace easily followed. But the cause being moved in Court Mr. Lovelace, being a young man, was called to answer the error of his antient, Mr. Plowden, who very discreetly made his excuse at the bar that Mr. Plowden's hand was first unto it and that he supposed he might in any thing follow St. Augustine. And although it were then overruled, yet Mr. Serjeant Richardson, thirty years after, fell upon the same rock and was sharply rebuked for the same; for the causes mentioned in that statute are but seven in number: 1. Maintenance. 2. Giving of Liveries. 3. Having retainers. 4. Imbracery. 5. Jurors receiving money. 6. Untrue demeanours of sheriffs in false returns and pannells. 7. Routs and riots—a small theme to exercise that Court.'

Egerton, it should be mentioned, after leaving Brasenose about 1559, was called to the Bar at Lincoln's Inn in 1572, some forty years later than this suit of the College. It is probable, therefore, that the doctrine that the jurisdiction of the Star Chamber was indeterminate and, at any rate, not restricted to the offences specified in the statute 'pro Camera Stellata'

prevailed in 1530.¹ The replication² of the College to the defendants 'Towpris and Seed' directed itself, therefore, to this point. After a denial that the complaint was 'vncharitably ymagyned', the College adds that it 'suyd in this honourable Court for the obteynyng of there Ryght of the landes comprised in the seyd byll (and) for the punyshment of the Riout and misdemeanour specified in there seyde byll of Compleynt'. Upon the point of the title to the land the language of the College is careful. Traversing the successive allegations of the defendants — the form of introducing traverses being the use of the words 'without that' ('exceptis quod') — the replication of the College to the defence of 'Towpris and Seed' runs:—'Without that that the land where the seyd distrez was takyn was the frehold of Thomas Vmpton namyd in the seyde byll at the time of the seyde distrez takyn Or that the said Thomas Vmpton hath eny Ryght to the seyd land.' The replication winds up with the petition 'that the said principall and Scholars may by the order of this court qwyetly occupye and jnioye there seyd landes as of Ryght they ought to do'. To the replication of the College to his defence Robert 'Payneswyke' put in a rejoinder³ repeating the allegation of his defence. The rejoinders of the other defendants have not been discovered.

The next step was the administration of interrogatories on behalf of the College to Robert 'Paneswyke'.⁴ They were six in number. How, the College asks, did he know the land to be parcel of the manor of 'Shrivenham Stalpyttes'; had Umpton received any rent from it during the past seven or eight years, and, if so, how much; had Shylton 'withyn thes ij yeyres last past occupied the seyde xij acrez of land or eny parcell of them as fermer or tenaunt to the seyde princypall and scholars of the Kynges hall & college of Brasynnose in Oxforth'?

¹ For a further discussion of this point see the writer's *Select Cases in the Star Chamber* (Selden Society, 1902), pp. liii-lv.

² The documents of the Star Chamber are in great confusion. This replication of the College is in *Star Chamber Proceedings, Henry VIII*, Bundle 26, no. 177.

³ *Ibid.*

⁴ *S. C. P., Hen. VIII*, vol. vi, f. 53.

The document that follows¹ is headed 'Robert Panswyke of thage of l sworn & examyned vpon interogatories to him admynistred by the College of Brasen nose this xxij of October anno xxij'.² Upon the subject of the title to the land his tale is a clear one. His knowledge of the ownership arose from his office of bailiff and receiver of the rent, formerly to the Earl of Devonshire, to whom it had belonged six years before, since then to Thomas Umpton, who had taken the land from the Earl by way of exchange. The rent was the same in amount as that claimed by the College, eight shillings annually. 'Shylton was no fermour to brasennose for the seyd xij acres of land,' to his knowledge.

To the defendants 'Thowzpris' and 'Seed', to whom was now added Robert Ball, the College administered eleven interogatories.³ Most of these were directed to establish the complaint of a riotous assault and thereby to justify the selection of the Star Chamber as the court to try the case. Interspersed among these details are two interogatories affecting the question of title—Was the land the property of the College and was 'Robert Panswyke' Umpton's bailiff? To this last Seed replied affirmatively, and that he himself paid rent to Panswyke as Umpton's bailiff, which office Panswyke had held 'these ij yeres past'. His explanation of Panswyke's seizure of the mare is that he also took it 'as a destresse', from which it appears that Shylton had treated both claimants with perfect impartiality. The land, he said, was Umpton's. 'David Touzpris' gave the same account. He was a young man of twenty-six 'dwell yng fast by the place where Pauneswyk toke the mare as a destres'. With the peaceable intentions which, by their own account, animated each one of the parties to the affair, he 'perceyuing ther was lyke to be busynes betwene Starky & Pauneswik for the sayd mare came from his house to make entretie between them'. In the same conciliatory spirit he took away Jankyn-

¹ *S. C. P., Hen. VIII*, vol. vi, f. 54.

² 1530.

³ *S. C. P., Hen. VIII*, vol. vi, f. 51. These interogatories are unskillfully drawn, probably by a pupil of Molyneux. They were administered on February 3, 22 Henry VIII (1531).

son's sword ' & kept yt nat any tyme longar but sawe them apecyd & delyueryd yt incontynent agayn vnto hym after there departure '. Upon the questions affecting the title he corroborated Seed's testimony. ' He sayth that he neuer knew or hard telle before that tyme that euer Shylton was namyd to be Fermour to the sayd scholars of the said land. '

It is apparent that one part of the story as told by these defendants was an afterthought in the interest of Panswyke. That defendant in his answer had made no suggestion that he had taken the mare as a distress for rent owed to Umpton. On the contrary, he had taken it from the Bursar at the request and ' commandement ' of Shylton, and a debtor does not usually command his creditor to levy a distraint on him. The defence of Panswyke as drafted, was a blunder, for he had no right to exercise a violent intervention. The mission of the Star Chamber was the repression of violence and the peaceful process of replevin was open. And further, according to Coke, in such a case ' a man can not claim propertie by his bailife or servant '.¹ On the merits of this particular case, that is, as against the action of the defendants, the College were in all respects justified.

Unhappily, the decrees of the Star Chamber are lost and we do not know what form the judgement took. It may be that the defendants were punished by the Star Chamber for their violence and that the question of title was sent down, as the practice frequently was, to be decided in a Court of Common Law. We turn, therefore, to the Bursars' Rolls and their evidence leaves the result a mystery. The latest date in the case is that of the interrogatories administered on behalf of the College to the defendants ' Thowzpris ', ' Seed ', and ' Ball ', on February 3, 1531. Little more than twenty years earlier, the process of the Star Chamber had been expeditious enough. Eighteen months was an exceptionally long period in a protracted suit.² Business had undoubtedly increased, perhaps on this very account. But there is nothing to show that in 1531 the Court was so clogged with suits that a cause of

¹ *Coke upon Littleton*, 145 b.

² See *Select Cases in the Star Chamber*, p. lxix.

Jarndyce *v.* Jarndyce was a possibility. If the Bursars' Rolls are to be trusted, the case was not decided for twelve years, and then against the College. At Michaelmas, 1532, by which time, in the normal course of things, the dispute would have been adjudicated upon, the entry runs:—

'Et eciam super Willelmum Shylton xxxij^s de Fernham ad viij^s per annum pro iiij^{or} annis finitis ad festum sancti Michaelis anno xxiiij^o dicti Regis xxxij^s.'

Year after year, with an annual increment of eight shillings, the debt accumulates until in the Roll ending Michaelmas, 1543, it amounts to £6. After that date it vanishes, and in the *Valor* of 1547 the name of Fernham is not to be found. Nor does the 4s. due from Thaccer at Michaelmas, 1530, ever appear to have been paid. No light is thrown upon the mystery by the muniments of the College. After the release of May 20, 1517, which conveyed the fee simple of Mrs. Morley's benefaction to the College, the name of Fernham is not to be found. All that is certain is that in this, as in other particulars, the covenants of William Fermour had proved fallacious and Sutton had been overreached.¹

The inference that Sutton, a successful lawyer, who, as steward of Sion, must have been familiar with transactions in landed property, was deceived upon so many points, is at first sight an improbable conclusion. It must, however, be remembered that it was an age of legal chicane, of which Empson and Dudley had been notorious examples, and that

¹ From the muniments of the College and the Bursars' Rolls some further particulars are to be gleaned of the actors in the drama which brought them before the Star Chamber. Robert Payneswyke may be probably identified with the Robert Payne of Wyke, who was a witness of the livery of seisin to William Fermour by Edmund Bury of his 'manor of Pynchpolys on June 21, 1511'. It is pleasing to know that the College bore him no malice, for on September 29, 1537, it leased to 'Robert Clott, otherwise named Payneswyke, "2 closes of land called Pynchpoll", in Faringdon and some land and a house at Westbrook for 30 years at £4 5s. a year' (Far., 48). David Jenkinson was employed as a rent collector, and was occasionally remiss in handing the rents over, the Bursars' Rolls showing arrears against him of £3 7s. 6d. at Michaelmas, 1538, which had only been reduced by 5d. at Michaelmas, 1539. His name appears in a deed of November 10, 21 Henry VIII (1529), as one of two attorneys nominated by John Baker, clerk, to convey the estate of Kemerton to the College (Kemerton, 7). See p. 158 *infra*.

Sutton by his payment to Fermour out of hand upon the delivery of the deed of bargain and sale evidently reposed confidence in him. Further, Sutton was dealing with Mrs. Morley's money, and it is a current saying that people are less careful of the money of others than of their own. He was also a busy man, being a serjeant-at-law in the Palatinate of Chester, and a judge in the Court of Requests, a prerogative court for purely civil cases much frequented by suitors, at this very time.¹ He was also occasionally employed on special commissions, and last of all, he was, as men of that period went, an old man. His elder brother, John de Sutton of Sutton and Distley, was born in 1442. Richard was the next child.² The date of his birth is unknown, but if it be taken at five years later than that of John,³ he would be born in 1447 and in 1512 would be sixty-five. Whether he sought redress of Fermour or Bury is unknown. This much is certain. He was no longer commissioned by Mrs. Morley to purchase estates for the College, nor did she extend her benefaction further.

On November 27, 1515, between three and four months after Sutton's purchase from William Fermour, Elizabeth Morley entered into her 'Composition' with the College, an abstract of which is to be found in the Bursar's monograph on Benefactions, p. 8. In the recitals of this deed, not there set out, are plain indications of the design of the Founders to establish a conservative and clerical institution as a bulwark against what would be expressed at the present day by the word 'modernism'. Elizabeth Morley's benefaction is expressed to be 'ad honorem individue Trinitatis gloriose virginis Marie omniumque sanctorum ac sacrosancte Matris ecclesie exaltacionem et augmentacionem clericorum studentium in Vniuersitate Oxonie necnon ad salutem anime sue'. Her chaplain, when he celebrated Mass, should pray for her soul, those of her husband and family, and for the souls of all faithful departed. Of profane learning or of the education of

¹ *Select Cases in the Court of Requests* (Selden Society, 1898), p. cix.

² G. Ormerod, *History of Cheshire*, 2nd edition, edited by T. Helsby, 1882, iii. 762 note.

³ *Ibid.*, Pedigree.

laymen there is no thought. It is to be noted also that the land conveyed is 'Manerium de Pynchpolle in Chepyng-faryngdon cum pertinenciis ac diuersa alia terras & tenementa cum pertinenciis in Faryngdon et Westbroke iuxta Faryngdon predictam in comitatu Berk' de vero annuo valore centum solidorum'. This last phrase probably covered no imputation upon the veracity of William Fermour, who with Richard Sutton and William Gefferey was a witness to the deed. But the description of the estate conveyed merits attention. It speaks of the estate as having been already given, as in effect it had, though the College were at the time only lessees under the lease of the previous August 12 and did not become owners in fee till the deed of May 20, 1517. The language implies that lands other than the manor of Pynchepolle were conveyed, viz. lands in Faryngdon and Westbrooke. This agrees with the history of the estate as already set out. But it does not mention Fernham, which was part of the land included in William Fermour's bargain and sale to Sutton, covenanted by him to be worth in all £5 15s. or, deducting the recited quit rent of 10s., £5 5s. yearly. It seems to follow, since the rent of the land at Fernham, apart from the house, was eight shillings a year, either that Fernham was supposed to be included in the 'manor of Pynchepolys' which, from the fine by which the Burys conveyed it to the two Fermours and Wenman at Michaelmas, 1511, does not appear to have been the case, or that William Fermour's title to it was already in dispute. Seeing that the 'Manor of Pynchepolys' was a fiction and that, as the fine indicates, the land at Fernham had evidently formed part of the portion of Joan Pynchepole, I incline to the former interpretation, and this is confirmed by the two deeds of lease and release by Elizabeth Morley and the Fermours to the College of August 12, 1515, and May 20, 1517, which specify the land at Fernham. That land, therefore, though not recited to have been conveyed to the College totidem verbis, was taken to be included in the phrase 'cum pertinenciis'.

In the light of the history of this estate as already narrated, one proviso in Elizabeth Morley's 'Composition' is curious,

and might almost seem to have been inserted for the protection of the College. It runs:—

‘Prouiso semper quod si manerium predictum ac terre et tenementa hereditamenta et cetera premissa cum suis pertinenciis sine aliqua inde parcella de cetero extra manus predictorum principalis et scolarium habeantur recuperantur¹ siue aliquo alio legitimo modo deuoluantur absque fraude seu collusione dicti principalis seu sociorum colegii predicti quod extunc et ab inde onus prefatorum principalis et scolarium ac presbiteri predicti de implecione ceterorum premissorum cesset in omnibus predictis et quod ab inde sint penitus exonerati de premissis siue aliquo premissorum.’

Had the College been disposed to insist on the letter of its obligation, with the issue of the dispute about Fernham, the celebration of Mrs. Morley's memory would have ceased, for her death had taken place in 1524. On the other hand, New College, which had the power of distraining, not only on the recited lands, but upon the whole of the property of Brasenose, to the amount of 20s. in the event of its default in payment of Mrs. Morley's chaplain, appears to have waived its rights. As will presently be seen, Brasenose, while doubtless it celebrated Mrs. Morley's memory, as required, by a dinner on January 26, felt itself occasionally constrained to leave her chaplain unpaid.

So extensive is the mutilation of the earlier Rolls that the first record of payment to Mrs. Morley's chaplain is on the Roll for 1520-1,² when he received 10s. more than the stipulated £2 13s. 4d., viz. £3 3s. 4d. There is no means of knowing whether this extra payment made up a deficit of the year before but, at any rate, the £2 13s. 4d. is never afterwards exceeded. On the contrary, in 1524-5, dark days began for the chaplain of 'Betty Morley', as after her death, at any rate down to the present day, our benefactress has been styled. The Bursars' Rolls show that while, after the lavish

¹ Sic.

² A fragment of an entry, in respect of 'capellani M^e Morley', with the sum torn out, is on f. 7 of the Roll ending Michaelmas, 1517, showing that the College had already appointed one. The Composition stipulated that one should be appointed within ten days of its execution.

outlay in 1517-18 of £22 14s. 6½d., the income from the estate had risen from £4 6s. to £5 12s. 8d., there were, nevertheless, outstanding arrears to the amount of £9 17s. This was during the last year of Betty Morley's life. No sooner was she dead and all hope of future benefactions cut off than the financial exigencies of the situation enforced themselves. Between Michaelmas, 1524, and Michaelmas, 1525, the arrears upon the Morley benefaction had increased to £12 12s. 10d., while reductions amounting to £1 3s. 6d. had to be allowed 'pro decasu', that is, to tenants who would undertake the repairs themselves. The Morley estate was perilously near insolvency, and since some one must suffer, the obvious victim was the chaplain, whose stipend was reduced from £2 13s. 4d. to £1. Worse was to follow. For the six years from Michaelmas 1525 to Michaelmas 1531 Betty Morley's chaplain received nothing at all. It may be doubted whether, under these circumstances, he fulfilled his obligation under the Composition to preach once a year at St. Margaret's, Westminster, and expressly to name his benefactress; nor can we suppose that the warden of opulent New College lacked sympathy for a struggling foundation and enforced the penalty of twenty shillings.

In the Rolls of 1531-2 a gleam of light appears. So rapidly had benefactions poured in upon the College that since Mrs. Morley's Composition in 1515, it had acquired no fewer than thirty-one landed properties, great and small. Not that it had a surplus; on the contrary, with its revenues its expenditure increased, and it was barely paying its way. But the generosity that is stimulated by the handling of money or the compunction which follows neglect of duty, even when financially advantageous, at last prevailed. The memory of Betty Morley was revived in 1532 by a payment of thirty shillings to her chaplain, increased to forty shillings in the following year. The financial situation, so far as the Morley benefaction was concerned, in 1533 no more justified the outlay than it had done four or five years before. Rather the contrary. The rent received remained constant at £5 12s. 8d., out of which 16s. 4d. was annually allowed 'pro decasu'. The arrears,

which had been reduced to £8 15s. 10d. by Michaelmas, 1530, had increased by Michaelmas, 1532, to £12 16s. 6d., and at the Michaelmas following attained the unprecedented sum of £14 15s. 6d. To these embarrassments must be added the growing burden of law expenses. Not all of these can be debited to the Morley benefaction, since even the acceptance of estates ensured fees to lawyers. But the litigation as to Fernham must certainly have gone far to account for the sudden rise of law expenses from £6 8s. 9d. in 1528-9 to £12 4s. 5d. in 1529-30. In the course of the four years during which the suit in the Star Chamber and its consequent expenses may be supposed to have run on, the law expenses of the College amounted to £40 2s., as compared with £20 11s. 11½d. for the four years, 1525-9, immediately preceding. The Morley benefaction was proving for a while a 'damnosa haereditas', and Betty Morley's chaplain was fortunate to get anything at all. His forty shillings was continued to him during the years 1543 to 1547. But when the *Valor* of 1547 was prepared for the king's commissioners, who may have been presumed to be unfavourable to expenditure upon the souls of deceased persons, the College preserved a discreet silence as to Mrs. Morley's chaplain and those of other contractors for its prayers. It simply entered 40s. 'Vni Scholari ex ordinacione Elizabethe Morles' (*sic*). How could an institution which, as it piteously proved, legitimately expended £12 13s. 9d. a year more than its income, have a surplus for 'superstitious uses'?

VII

The Benefaction of John Cockes

On June 20, 1512, John Cockes,¹ Cokkys or Cokks, a wool merchant of Kirtlington, had purchased 'a messuage and garden called "The Lyon" or the "Redde Lyon"', which was an inn situate in the High Street of Wycombe, at that time

¹ Cockes is the spelling of his 'Composition', which is sealed 'J. C.' but not signed by him.

currently known as Chepyng Wycombe. The price paid for it was 100 marks (£75). It was not a new house. It was, as Cockes had perhaps discovered, a house with a past, for in 1482 it had changed hands for £120, having in 1479 been let on lease at a rental of £8 6s. 8d. per annum. Next door to it, on the west, was the 'George Inn', and it may be that the prosperity of the 'George' measured the decay of the 'Redde Lyon'. At any rate, the 'Redde Lyon', as the College muniments show, changed hands with suspicious rapidity in the course of the thirty years following 1482, which may be taken to have been its *annus mirabilis*. In the light of the vanished glory of six score pounds, the 'Redde Lyon' at the price of £75 may have seemed to John Cockes an excellent bargain.

The history of the hostelry, as it unfolds itself in the Bursars' Rolls, suggests that that successful man of business had, upon this occasion, made a doubtful speculation. If he wished to let it on lease he not improbably failed to do so, since no lease by Cockes is in existence, and when he parted with it the College to which he transferred it was obliged to find a tenant. He was, it may be, indisposed to an outlay sufficient to bring it up to date, for he was beginning to contemplate a change in the character of his investments. Hearing of the rising promise of Brasenose College, he became laudably solicitous 'for the augmentacion of vertu & lernyng & also for the helth of hys solle'. The real value of the 'Redde Lyon' now appeared. By an indenture dated 22nd July, 10 Henry VIII (1518) to which William Porter, the warden of New College and 'Mathew Smyth, pryncypall of the kynges hall & colegge of Brasynnose in Oxford' were parties, he granted to Brasenose the "'Redde Lyon" with the curtilege and gardyng and all other his lands and tenements within the borow of Chepyng Wycombe'. These other 'lands and tenements', it may be noted parenthetically, were as castles in Spain, situate in the imagination of John Cockes's man of law, and perhaps designed to impart an air of magnificence to John Cockes's gift. But though he added no lands or tenements, either then or at a later date, he did supplement the gift of the 'Redde Lyon' with a substantial offering. He

presented the College with six score pounds in cash, a large sum at a date when the country was but recently recovered from the effects of the Wars of the Roses, and accumulations of money were still comparatively rare. It must not, however, be supposed that he contemplated getting no return upon his capital. *Nihil inde sperantes* is not the motto of commercial men. The document in which the gifts are made, by its very name, a 'Composition', indicates this, and its terms are explicit. He gives the money 'to the entente and effecte that the sayd pryncypall felowes & scolers of Brasynnose & ther successors for ever shall obserue doo and make dyuers suffrages, obsequies & prayers for the solles of the said John Cockes & Julyan his wyffe, Alyn & Elyn his Father & mother & all ther progenye, & of all crysten soles yerely within the sayd hall & colegge of Brasynnosse (*sic*) for ever'. Of the two priests, Fellows of the College, who were specially devoted to these duties, one was to be 'an Oxford shere man borne or els knowen to be a sothern man after the order & Custome of the Unyversyte', a proviso which suggests that there existed an official list of northern and southern counties. They were each to receive 26s. 8d. for four years and afterwards 4cs. annually. The £120 was to be expended on the purchase of a tenement or land which should bring in the yearly sum of £6 net. The commemoration of this Benefactor was to take place on October 30. As the first commemoration is mentioned in the Bursars' Rolls for the year Michaelmas 1520 to Michaelmas 1521, it follows that John Cockes died at some date between July 22, 1518, and September 29, 1520. This is confirmed by the fact that the same Roll shows that the two priests were each paid their 26s. 8d. in full during the year 1520-1, and for two years following. Unfortunately the Roll for 1519-20 has vanished, but as the full payment of £4 is entered in the Roll for 1523-4, it follows that 1522-3 was the fourth year of the smaller stipend.

Among the provisions made by the care of John Cockes to secure the future welfare of his soul was one which disclosed his knowledge of human nature from the commercial point of

view. He determined to give another College a financial interest in it. Under his Composition, two days' notice was to be given to the Warden of New College or his deputy, who was to see that this arrangement was carried out. A fee was to be paid him of 3s. 4d. for his trouble, besides a penny 'for his offering'. Neglect to appoint the two priests or the omission of the commemoration was to be penalized by a mulct of £200, to be forfeited to New College, and for any other fault 13s. 4d. *toties quoties*. The kindly interest inspired by this device in the post obit fortunes of John Cockes was yet retained within the writer's recollection. In addition to the gratifying fee paid to each Fellow of Brasenose present at the morning service in chapel, the Warden of New College was rewarded for his attendance by the prescribed 3s. 5d. The method by which the farsighted John Cockes secured the perpetual performance of his commemoration was also employed by him to stimulate a zeal for his future well-being to which the governing body of Brasenose, other than the two priests endowed by him, might otherwise have been strangers. The Principal of the College was to receive 3s. 4d. 'for his labour', the Vice-Principal 20d. and each Fellow 8d., that is to say, if present at the requiem mass in the College Chapel.

It is painful to narrate that, judging from the Bursars' Rolls, at the first commemoration for which the accounts have survived, the minute provisions to ensure John Cockes's eternal happiness broke down. How otherwise are we to explain the fact that in the year from Michaelmas 1520 to Michaelmas 1521, only 6s. 8d. appears to have been expended under this head?¹ It is true that '... his Cokks—vj^s. viij^d.' is all that remains of this mutilated entry, but its place among the payments next after one which, though also mutilated, is certainly an entry of the expense of the commemoration of Bishop Smyth, leaves no doubt that the missing words, as shown by the roll for 1521-2² are: 'Et solutum pro Anniversario Joh(ann)is'. It is possible, though there is no record in the roll of 1520-1, as elsewhere, that the plague was in Oxford and had driven most of the residents from the

¹ Bursars' Rolls, vol. A. f. 17.

² Bursars' Rolls, vol. A. f. 21.

College. The Warden of New College or his deputy could scarcely have been present, for his 3*s.* 5*d.*, subtracted from the sum of 6*s.* 8*d.*, would not have left even 3*s.* 4*d.* for the Principal. It may be that the College had not the money, at any rate out of the Cockes benefaction, and was disinclined to expend for the benefit of John Cockes's soul funds derived from benefactors competing for its intercessional favours. If the solution of the mystery is to be found in the fortunes of the 'Redde Lyon' at Chepyng Wycombe, the sixteenth century taught a lesson which has been supplemented in the twentieth, that it was as dangerous to link one's spiritual as one's material welfare with the fortunes of a public-house.

For, indeed, the 'Redde Lyon' at Chepyng Wycombe had fallen upon evil times. It cannot but be that there was a consciousness of this fact in John Cockes's mind when he parted with it in the summer of 1518. It may be that the attractions of the 'George Inn' had continued to increase, or that the Bursars, in selecting their tenants, were not expert judges of character. At any rate there were no licensing boards to worry the publican, nor licence duties to impoverish him, nor, in days when Church-Ales were still in fashion, did curious teetotallers or intrusive detectives scrutinize the gait of his customers. Whatever the cause, successive tenants of the 'Redde Lyon' could not pay their rent of £4 per annum, though less than half the rent of 1482. At Michaelmas, 1522, the rent of the innkeeper, William Whalley, was two years in arrear. His debt was carried forward in the Bursars' Rolls year after year with a due regard to the canonical prohibition of interest, and still appears in the roll of 1527-8 as £8, seven years overdue. The College, it may be inferred, evicted Whalley at Michaelmas, 1522, and took as tenant one Hugh Frankland or Frankelyn, who could not have paid any rent at all, seeing that at Michaelmas, 1523, he was a whole year in arrear, though it must be recorded to his credit that of the £4 due he paid 13*s.* 4*d.* in 1525-6.¹ He, too, must have been got rid of, and at Michaelmas, 1523, John Standisshe, as his son signs the name, essayed the forlorn hope of making the 'Redde

¹ Bursars' Rolls, vol. B. f. 21.

Lyon' pay. Like his predecessors, he became tenant on a yearly tenancy at £4 per annum. John Standisshe proved himself a better tenant than his defaulting predecessors, and was rewarded accordingly. He did what he could. It is true that he could not at Michaelmas, 1524, produce the full rent of £4, but he did pay £3 3s. 4d., the Bursars remitting 16s. 8d. 'pro decasu hospicii vocati the Red Lyon' (B. 7), which, in its existing state of disrepair, he must have energetically protested, could not earn the rent. They did more. They expended the large sum of 57s. 9½d. in repairs.

Something further, it was felt, would have to be done for the 'Redde Lyon' if the sacred trust imposed by John Cockes was not to be abandoned. Standisshe had proved himself the most desirable of the tenants whom the College had hitherto put in occupation, and it would be well to retain him. But the misfortunes of the 'Red Lyon' were not only structural decays. It needed the inviting equipment of a comfortable hostelry, and Standisshe had not the necessary capital with which to provide it. In the Bursars' Roll for 1523-4 occurs this unique entry :

'Et super Johannem Standishe pro supellectile vocata householdstuf sibi per Bursarios apud Chepyng Wycombe vendita . . . iij^{li}. iiij^s.'

What was the nature of this transaction? It cannot have been a sale to Standisshe of the 'household stuf' taken as distress for rent due by the outgoing tenant, for Frankland's debt of the year's rent of £4 is carried on as unliquidated. Neither, for the same reason, can it represent a sale of a distress levied upon Frankland's predecessor, Whalley. It might be conjectured that the Bursars of Brasenose, who, being Fellows, were necessarily clerics, were 'running', to use a phrase as old as Mr. Pepys, a public-house by a manager. But, though the College did not undertake to 'run' the 'Redde Lyon' themselves, since they charged John Standisshe with a rent of £4, not always paid, they were plainly resolved to do what they could to enable it to outrival the 'George'. The 'householdstuf' in question must have been the furniture necessary for carrying on an inn; the wooden platters, the

crockery, the horn and latten drinking-vessels, the settles and benches, the beds and bedding. It may be noted here that Standish repaid this advance of £3 4s. by instalments, as a thriving host might do.

Before recurring to the consequences to John Cockes's prospects of the financial management of the 'Redde Lyon', it may be permitted to dwell for a moment upon another feature of this unique advance, so far as I have examined the Bursars' Rolls, on the part of the College. The name of Standisshe, which the Bursars spell Standishe, linked with the names of the previous tenants of the 'Redde Lyon' since it had come into possession of the College, suggests a surmise which the reader can appraise at his own valuation. Standish was unquestionably a Lancashire name, and it was with Lancashire that the College was most closely connected. It was a name already enrolled on the College books. Stephen Standish occupied the important office of Manciple in 1513. Edward Standish was a Fellow in 1518. John Standish, described as of Lancashire, entered the College, aged about 15, in 1524. It is, at least, a curious coincidence that the two previous tenants under the College of the 'Redde Lyon' also bore Lancashire names. There is no evidence that at this time any member of Brasenose was named Whalley. The first appearance of this name in the Principal's Register, in the form of Whaley, is in 1626: 'Whaley, Thomas (Lancs.) Adm. pleb.' And though there is no contemporary Frankland on the College books, in the only case in which it appears (1649) it is entered as the name of a Lancashire man. Each of these circumstances is in itself of trifling significance. The three taken together converge to the conclusion that the Bursars selected as tenants of the 'Redde Lyon' members of their own county, probably related to some of the governing body. The College being founded, according to the statutes, as a College '*pauperum et indigentium scholarium*', it is no matter for wonder that, like the heads of the religious houses, they provided berths for their poor relations.

The upshot, so far as we know it, of the munificent gift by John Cockes of the 'Redde Lyon' and all his lands and tene-

ments in Wycombe, as disclosed by the rolls of 1524, was that for five years, ending Michaelmas, 1524, the College had received £3 3s. 4d. in rent, while it had expended £6 1s. 9½d. in putting it into tenantable occupation, a deficit on the quinquennial account of £2 18s. 5½d. It may well have been pardoned if it began to look the gift of the 'Redde Lyon' in the mouth!

In the following year, 1524-5, the 'Redde Lyon' continued a loss to the College. At Michaelmas, 1525, Standisshe was granted a reduction of rent by 44s. 'pro decasu', presumably representing an outlay on repairs by himself. On the other hand, he discharged his arrears of rent of the previous year, 13s. 8d. and repaid 3cs. 8d. of the sum advanced for furniture, leaving a balance due on that score of 33s. 4d.

The total year's account may be seen in the following table:—

THE 'REDDE LYON', 1524-5.

Receipts by <i>College</i> .				Expenditure by <i>College</i> .			
	£	s.	d.		£	s.	d.
Rent	1	16	0	Balance of advance due	1	13	4
Arrears of Rent	0	13	8	Repairs	2	6	0
				Reduction of Rent	2	4	0
					6	3	4
					2	9	8
	£2	9	8	Deficit	£3	13	8

Despite the generous aid of the College, Standisshe's resources were exhausted. The Bursars' Rolls for Michaelmas, 1526, report him as again 13s. 4d. behindhand with the year's rent, nor was he able to reduce the balance of the advance made him for furniture. Again he must have convinced the Bursars that his shortcomings were due to the disrepair of the 'Redde Lyon', for in 1526-7 the College expended the unprecedented sum of £3 1s. in endeavouring to improve its attractiveness, a sum supplemented in the year following by another 19s. 4d. It was a judicious outlay. For four years arrears cease to be, and the balance due for furniture was presumably discharged. Yet still the condition of the 'Redde

Lyon' needed constant fortification. For two years, indeed, 1527 to 1529, it had rest; but in 1530 and the year following, it required an expenditure upon repairs of 20s., an outlay, it will be observed, of twenty-five per cent. on the gross rental. It may be that the demands of Standisshe for repairs were not unconnected with a scheme entertained by him for improving the condition of his tenancy. By the autumn of 1531 he had been in occupation of the 'Redde Lyon', fighting an incessant battle with dilapidations, for eight years. He had a wife 'Marget', and a son William, the excellence of whose Latinity and penmanship suggest an education at Brasenose College. At a period when men grew old quickly, he was perhaps sensible of the advance of age. Like the later 'landlord of the Lion', whose epitaph has made him famous, he perhaps desired that it might be said, when he had passed away, that

'Resigned unto the heavenly will
His wife keeps on the business still.'

At any rate, there exists among the muniments of the College a lease dated 16th September, 23 Henry VIII (1531) by 'Mathew Smyth' as principal of Brasenose to John Standisshe 'and Marget his Wyf ther executours & assignes', by which the 'Red Lyon' was let to them for twenty-one years at the reduced rent of £3 per annum, John Standisshe, who signs with a mark, undertaking to spend £10 upon the premises within three years, and to put them in good repair. It is evident, however, that John Standisshe promised more than he could perform, for the Bursars' Rolls show that the College treated the lease as non-existent. At Michaelmas, 1532, the tenancy was on its old footing. John Standisshe paid the rent of £4, while the College paid 20s. for repairs. The accounts for Michaelmas, 1536, disclose the same state of things. That the financial inability of the tenant to fulfil the conditions of the College as to repairs was the cause of this is apparent from the fact that at Michaelmas, 1533, Standisshe was 3s. 4d. in arrears with his rent. After that crisis, however, Standisshe seems to have

paid his rent regularly, that rent being entered in the Bursars' Rolls as £4, not the £3. of the lease of 1531.

In course of years, perhaps about 1542, his wife Juliana Standisshe died and he married again, his new wife being named Elisabeth. His lease of 1531 had still many years to run, but anxious to secure her a comfortable home in the event of his own decease, he obtained on 11th September, 35 Henry VIII (1543) a fresh lease from 'Mr. Mathew Smithe principall of the Kinges hawle & college of Brasinose', for a term of thirty years. The lease was to 'John Standissh and Elisabeth his wife, his children and ther executors & assignes.'

It may be noted that the words 'his children and' are interlined, being an afterthought perhaps suggested by the careful William Standisshe, a son of the first marriage. The lease is not signed, as was that of 1531, with a rude drawing, obviously the effort of an unpractised penman, resembling two tulips with their stalks crossing each other like the blades and handles of an open pair of scissors. It is adorned with an admirable specimen of calligraphy 'per me Willm. Standisshe patris vicarium'. Unhappily, this lease bequeaths as many puzzles as does the lease of 1531. There were no fresh stipulations for the outlay upon repairs by the tenant of a specified sum. But the Bursars, notwithstanding the fact that the mention of the rent of 'iij powndis of lawfull englishe monye', the same rent as under the lease of 1531, occurs more than once in the deed, debit themselves year by year with 'iiij *li.*' as the rent paid them. What is more; in the *Valor* of 1547 they return this, the only property of the College in Buckinghamshire, at iiij *li.* per annum, citing this very deed of lease of 35 Henry VIII, and they add: 'Reprisis videlicet in Reparacionibus ibidem fiendis communibus Annis xxxs.', a perfectly accurate statement. The result appears to be that the lease of 1531 was varied by a parol agreement that the College should continue doing the repairs if the tenant would pay £4 a year rent instead of £3. What is strange is that this, which was the actual working agreement, was not expressed in the lease of 1543. All that the leases effectively did was

to ensure to John Standisshe, his widow and children, a continuance in the tenancy which, with the liberal aid of the College, he had converted into a desirable occupation. He had achieved a result patent to the world at the present day. But the 'Redde Lyon' never succeeded in swallowing 'the George'. When in 1894 the College sold the 'Redde Lyon', its erewhile next-door neighbour had survived to jostle and jostles still the western flank of its secular rival.

While the College was thus engaged in a prolonged struggle to set the 'Redde Lyon' on its legs again, the reader may have felt some concern lest these financial difficulties should have imperilled the spiritual welfare of John Cockes. No sign of any defection from its sacred trust on the part of the College appears during the first year of Standisshe's tenancy. Though at Michaelmas, 1524, there was, as has been seen, a startling adverse balance of nearly £3, the College nobly adhered to its obligations. Agreeably to the terms of the Composition, the two chaplains of John Cockes received, for the first time, their increased stipends of 40s. each, and 10s. 2d. was expended upon his commemoration, a sum the probable apportionment of which I shall leave to curious mathematicians. It may be that Mrs. Cockes was alive and that the College cherished the expectations to which the virtuous are entitled. It is not, of course, to be forgotten that the six score pounds was, by the stipulations of the Composition, to be invested in the purchase of a tenement or land to bring in a net yearly return of £6.

The interest on capital embarked in trade was at this time ten or twelve per cent., and nearly a generation afterwards, when accumulations of capital had considerably increased among the trading classes, ten per cent. was the legal maximum fixed by the 'Acte against Usurye' (37 Hen. VIII, c. 9, 1545). So reasonable, therefore, were the anticipations of Cockes that he may have had the pitiful history of the 'Redde Lyon' in his mind. The six score pounds were presumably laid out upon the purchases in 1519-20 at Forest Hill, near Oxford, of a tenement and land costing £9; and of Brakespeare's Place at Milton-under-Wychwood, and Genyns Court, Kent,

both from the same vendor, Sir Michael Dormer, for £112—total £121. Of these investments, the Forest Hill property brought in a gross rental of 10s. yearly; Brakespeare's Place, 26s. 8d., and Genyns Court £4 4s. 2 $\frac{3}{4}$ d. These rentals remained unchanged, as the *Valor* shows, in 1547. It will be observed that the difference between the return upon capital invested in land and capital invested in trade was considerably greater than nowadays; but, on the other hand, if the profits of commerce were greater, so also were the risks.

These details have been extracted from the Rolls because they exhibit the administration by the College of one of its earliest, and not the least troublesome, benefactions. They serve also to explain the reason why the College occasionally deemed itself at liberty to depart from the strict obligations of its Composition with John Cockes. For instance, in 1525-6 his two chaplains were no longer paid £4, but reduced to £3 10s. It has been seen that the previous year's working of the 'Redde Lyon' alone had involved a deficit of £3 13s. 8d. During the same year (1524-5) there was also an arrear amounting to 17s. 6 $\frac{3}{4}$ d. of rent due from Genyns Court and 10s., being rent due on the property at Forest Hill. The state of account of John Cockes's benefaction for 1524-5 may therefore be set out as follows:—

BENEFACTION OF JOHN COCKES, 1524-5.

<i>Receipts.</i>				<i>Expenditure.</i>			
	£	s.	d.		£	s.	d.
Net Rent of Genyns Court	3	6	8	On 'Redde Lyon' . . .	3	13	8
„ „ Milton . . .	1	6	8	On Forest Hill . . .	0	10	0
				Cost of Commemoration .	0	7	8
	<u>£4</u>	<u>13</u>	<u>4</u>		<u>£4</u>	<u>11</u>	<u>4</u>

leaving a total surplus of 2s.

The two chaplains of John Cockes, whose stipends the College reduced in 1525-6 from £4 to £3 10s. cannot be said to have had a just grievance. A worse fate befell them in 1527-8, when the outlay by the College of £3 1s. upon the repairs of the 'Redde Lyon' necessitated a reduction to £3 9s., but after the lease of 1531, an evidence that the trust was, so

far as the 'Redde Lyon' was concerned, upon a sound financial basis, the due payment of £4 annually to the two appears to have been regularly made. It is to be hoped, for their credit, that during the four years 1525-6, 1527-8, 1529-30, and 1530-1, when abatements, of which that of 1527-8 was the greatest, were found unavoidable, John Cokes's two chaplains did not flag in their precatory vigour. A reminiscence of the nineteenth century may perhaps be permitted here. Until 1882, the new statutes having come into force in June, 1881, the commemoration of Betty Morley was yearly celebrated on January 26, and that of John Cokes on October 30. The Warden of New College attended the morning service in chapel. After chapel on October 30 the Bursar distributed to each of the Fellows present the eight pence due to him. On January 26 the Warden alone received eight pence. On the anniversary of John Cokes the Warden of New College was, of course, paid 'for his labour' the sum of 3*s.* 5*d.* assigned to him. After chapel a state breakfast took place in the Bursary, though Betty Morley had stipulated that it should be 'in aula', attended by the Principal with the Warden of New College and Fellows of Brasenose in their gowns. The breakfast was of Gargantuan dimensions, and the College plate was lavishly displayed.

VIII

Some Lost Properties

The disappearance of college property is sometimes unaccountable. The first Bursars' Roll, that for 1515-16, opens with a list of the arrears due at Michaelmas, 1515. Two entries run as follows:—

'In manibus Hugonis Crishall pro Rectoria de Whethamsted . ix^{li.} x^{s.}
In manibus domini Cristoferi Fawkenor pro Capella de Harpeden
xj^{li.} xiijs. iiij^{d.}'

At this time, then, the Rectory of Whethamsted belonged to the College. I can find no record of Hugh Crishall. One

'Cressel' (or 'Cressey') took a Bachelor's degree from some college unknown in 1506;¹ but the use of 'Dominus' in the next entry, indicating a Bachelor, is adverse to his identification with Hugh Crishall. On the other hand, it would seem that he was in orders, for in the Bursars' Roll for 1522-3, after which his name ceases to appear, an allowance of 30s. is made to him 'pro semiterio ecclesie de Whetham(sted) et pro camera reservata vicario ibidem.' He was, therefore, the vicar put in by the College to serve the Church. He was also one of the farming clergy, a class of which there were loud complaints in the sixteenth century, and rented the Rector's glebe from the College. That his name was Cressey, rather than Crishall, is made probable by the fact that a family of the name of Cressey was resident at Harpenden, which is contiguous to Wheathamstead, from the reign of Edward IV to that of Elizabeth.²

Crishall's arrears of £9 10s., due at Michaelmas, 1515, had increased to £21 3s. 4d. at Michaelmas, 1516. Assuming the rental to be a fixed one, it amounted to £11 13s. 4d. a year. The debt ran on year after year at the same sum, and, since it finally vanished upon the allowance already referred to, it may be charitably inferred that the lessee's indisposition to pay was due to a counter-claim contested by the College.

Among the muniments is a document belonging to the thirteenth century which suggests the origin of the possession by the College of these rectorial tithes. It is a deed of arbitration awarding half the corn tithes to the Rectory, then in the gift of the Bishop of Lincoln, in whose diocese Wheathamstead was, and half to the Abbey of Westminster.³ The inference is that the bishop, who had the right of presentation,⁴ had granted the Rectory with its tithes to the College, perhaps for life or lives.

Harpenden, as it is now called, or, as it appears in the Bursars' Rolls, 'Harpeden,' formed but one ecclesiastical

¹ Foster, *Alumni Oxonienses*.

² J. E. Cussans, *Hist. of Hertfordshire* (1879), *Hundred of Dacorum*, pp. 351, 361.

³ Wheathamstead, 1.

⁴ *Liber Regis*, p. 516.

parish with Wheathamstead. The manor, which belonged to the Abbey of Westminster, was named Wheathamstead-cum-Harpenden. The tower of the chapel of St. Nicholas, the chapel mentioned in the Bursars' Rolls, dating from about 1470, yet remains, the rest of the chapel having been rebuilt.¹ The chapel must have been separately endowed, though in the *Liber Regis* it is included in Wheathamstead, and was presumably served by Fawkenor as vicar, who apparently refused to pay over the profits of the Rectory. The arrears are entered against him, year after year, for the same sum, the canonical prohibition of interest being observed. The last entry occurs in 1526-7, but the arrears columns in this volume (C) are so mutilated that it is possible that entries were subsequently made. In the next volume (D) from Michaelmas, 1529, to Michaelmas, 1533, the practice began with 1529-30 of entering the total outstanding arrears *en bloc*, and they are not specified among those carried over to the following year. It may perhaps be inferred that Fawkenor, whose name is not to be found among the graduates of Oxford, had been dispossessed prior to the Roll of 1515-16, which would account for the fact that the debt did not show an increase as in the case of sitting tenants in arrears. This solution is applicable to the case of Crishall, if it be supposed that he had ceased to farm the Rectory and remained simply serving the cure as vicar. In the *Liber Regis* the clear annual value of the Rectory of 'Wheathampsted *alias* Wethamsted' with the chapel of St. Nicholas, Harpenden, is set down at £42 1s. 10½d.: that of Steeple Aston at £16 2s. 8½d.

Year after year, following the two entries of arrears already commented upon, occurs the entry—

'In manibus Alexandri Cleder nuper Firmarii de Stepulaston viij^{li}. xv^s.'

which vanishes with them in 1529-30. In the *Valor* of 1547 Steeple Aston appears as having been let to William Parsons, presumably upon a beneficial lease, for a term of twenty-one years from March 25, 1529, nothing being said about the Rectory.

¹ Cussans, 359, 360.

Middlewich

Among the estates lost to the College was one at Middlewich, Cheshire, bought, as the Bursar's monograph tells us, with money given by John Claymond. From the Bursars' Rolls for 1543-4 and the *Valor* of 1547 the gross annual rent of this property was £6 9s. 7d., out of which quit-rents were due to three manors, of 5s. 8d., 4s., and 8d. respectively—a total of 10s. 4d. 'Rents decayed' are set down at 26s. 8d. The annual fee of the rent receiver is 9s. These items, amounting to 46s., leave a net income of £4 3s. 7d. The estate, as we learn from the pleadings in an action subsequently brought by the College, probably in the Court of Requests,¹ consisted of two wiche houses, twelve leades, and a tenement, meadow, and pasture of which the area is undefined. In 1543-4 the collector of the rents was John 'Bostok'. He was not infrequently in arrears: in 1546 he owed 53s. 4d., two years overdue.

In the pleadings of the lawsuit regarding this estate, the College set up the case that they claimed possession under a deed of feoffment by one William 'Bostocke', dated 31st January, 24 Henry VIII (1533); that they held the estate undisturbed for thirty years, but that about four years before the commencement of their suit, one Rauffe Bostocke, the defendant, entered and ejected them. This fixes 1567 as the date of the suit. The College and the defendant alike trace their title to one Robert Bostocke. According to the College, Robert Bostocke on 4th December, 9 Henry VIII (1517), enfeoffed John 'Fornbye', clerk, Bachelor of Divinity, William Bostocke, son and heir apparent of the feoffor, and Ralph Bostocke, Bachelor of Arts. This last feoffee we may identify with the Ralph Bostocke who took his Bachelor's degree on February 20, 1514, and his Master's in 1518, and was senior Bursar in 1526-7. John Fornbye or Fornby was, of course, one of the original Fellows. To William Bostocke the Principal's Register gives no clue. The bill of complaint of the College does not set this feoffment out, for it only complains of the forcible entry of Rauffe Bostocke. It occurs in the

¹ Muniments, Middlewich, 6, 7, 8, 9.

replication by way of rebutter to a title set up by the defendant in his answer.

The feoffment relied upon by the College to the two Fellows and William Bostocke was to the use of the feoffor Robert for life with remainder to the use of his right heirs. The right heir was the feoffee William Bostocke, and he, on 31st January, 24 Henry VIII (1533), enfeoffed the College.

So far the story is simple, but it is not the story told by the defendant. It is common ground that Robert Bostocke was legal owner, and both parties claim a feoffment by him. But the feoffment relied upon by Rauffe Bostocke is an alleged deed of 15 Henry VIII (1523), by which Robert Bostocke enfeoffed John Forneby, clerk, Rauffe Bostocke, M.A., Ranulph Vernon, clerk, Richard Davenport, John Savile, and William Vernon. The first two are the feoffees of the deed set up by the plaintiffs. None of the other feoffees appears to have been a member of the College. All of them, except Savile and Forneby, bear Cheshire names. The uses to which they were feoffees were to the use of Robert Bostocke, the feoffor, for life, and, after provision for a daughter, to use of William Bostocke in tail male with remainder to use of Rauffe Bostocke, the clerical fellow of Brasenose, for life, remainder to use of another son, John Bostocke, in tail male. The intermediate interests having expired, the property is alleged by the defendant to have passed to himself as the son of John. He admits that his predecessors in title were only by 'protestacion seased', which means that the College, as alleged by it, was actually in possession. But the legal estate of the feoffees, according to him, had been extinguished by the Statute of Uses in 1535, which revested it in the feoffor, from whom it had descended to himself.

In answer to this, the College apparently set up that the defendant's deed of 1523 was a forgery. 'About foure yeares now past certen evydences dedes charters myniments and wrytinges concerninge the said Landes tenements & other the premysses haue casually come too the handes custodie and possession of one Rauffe Bostocke gentleman whoe by colour of havynge of the said evydences &c. hathe caused

& procured dyvers & sundry secret & feyned estate & conveyance &c. be made of and in the premises.' Fortified with these, Ralph Bostocke had made a forcible entry into possession and had ejected the College. The story, as thus told, at any rate exculpates Ralph Bostocke the Bursar from the traditional imputation that he dishonestly deprived the College of its property. It may, of course, be the case that the defendant obtained the title-deeds on which he manufactured a fraudulent claim, assuming it to have been so, from papers which had once been in his uncle's possession. The Bursar, according to the Principal's Register, died about 1530.

It is extremely unfortunate that the judgement has not been preserved; but that it went against the College is to be inferred from the fact that the estate was never recovered. In the absence of the evidence and of the judgement, conjecture is worth very little. The defendant, however, can only have established his title by proving a legal flaw in the feoffment of 1533, and it may be that it was held that William Bostocke, being then but a beneficial owner, could not enfeoff in fee, that deed being prior to the Statute of Uses. There are, however, other recondite legal points connected with the feoffment of 1517 which, in the absence of further light, it were profitless to discuss here.¹

¹ What makes this case still more puzzling is that in the British Museum, Harl. MSS. 2115. 13. 60, is an 'Abstract of a Fine touching certain lands and houses in and about Middel Wyche sold by William Bostock to the Principal and Scholars of the Hall and College of Brasenose in Oxford, 1 Aug. 30 Henry VIII (1538).' The parcels set out are 7 messuages 2 acres of land one barn with 2 "cotagiis Salsariis vocatis Wyche howses" infra villam campos et parochiam de Medio Wico,' &c. This suggests that the College having no title-deeds or other conveyance, did not even know of what its property consisted, it being, as the Rolls show, managed by a local agent. His name was John Bostok, and he was paid a regular fee of 9s. a year, being a fraction over 7 per cent. of the rent of £6 9s. 7d. received by him. B. R., vol. H. f. 7 (1543-4) and *Valor* (1547). This is the person, not the Bursar, who may have played the College false, and been the father of the defendant. The words 'cotagia salsaria' suggest that Salesurrey Hall was really 'Salsary' (or Salt) Hall. The old English pronunciation of Salisyrry, as it is spelt in 1392 (Mr. Madan's Monograph I, p. 12), would be indistinguishable from 'Salsary'. That side of School Street was frequented by 'Northerners', and a group from the salt district of the Wyches may well have given the name to their hall of 'Aula Salsaria'.

Ascot d'Oyly

Another property, the acquisition of which involved the College in a lawsuit,¹ was a small holding at Ascot d'Oyly, consisting of two messuages and two virgates or yard-lands. This the College bought on 10th July, 25 Henry VIII (1533), for twenty marks (£13 6s. 8d.) from George Smythe or Smyth of Alderbury. For some years it appears to have enjoyed quiet possession, but in June, 1540, Principal Matthew Smyth was summoned to appear in the Court of Requests to defend his title. The claimant was Anne Abley, as the records of the Court spell it, or Abbey, as it appears in the muniments of the College. The pleadings have not all been preserved, notably the bill of complaint; but those which have survived, and the examinations of the witnesses, enable us to piece the story together. The property had belonged, about the year 1515, to one John Smythe, who had sold it to a certain Elis Shephard. After three years Shephard had died, leaving a widow, Elyn Shephard, and a daughter Clemens. The widow let it to Richard Peasley, and, after remaining a widow for five years, married John Barry, to whom it then passed, Peasley continuing tenant. After seven years of her second marriage Elyn Shephard died. This carries us down to 1530, when George Smythe entered by force, as cousin and heir of John Smythe, and upon his ejection by Peasley brought an action against him for forcible entry in 1531, in which he appears to have been successful. There were now two claimants, George Smythe and Clemens Shephard, to whom her father, presumably by a feoffment to trustees to the use of his will, since his death occurred before the Statute of Wills (1540), is said to have devised it. Clemens Shephard married William Abbey or Abley, and died leaving a daughter Anne, the plaintiff in this case.

The case for the plaintiff rested on two propositions, first that John Smythe's feoffment was unimpeachable, secondly, that the College took through George Smythe and that he had no title, not being the right heir to John Smythe. This last contention there was very little evidence to support, while

¹ Muniments, Ascot d'Oyley.

that on the subject of the feoffment by John Smythe was contradicted. According to the College, John Smythe was between seventeen and nineteen years of age when he professed to execute the feoffment. The feoffment was, therefore, invalid, and George Smythe being the feoffor's heir, his conveyance to the College was good. The weight of evidence, on the whole, though there was much conflict, appears to be in favour of the contention of the plaintiff that John Smythe was of age at the time of the sale by him to her grandfather. The case dragged on in the Court of Requests, postponed term after term, from June, 1540, to February, 1544, a proof of the crowded state of its cause list. It resulted in a compromise. The plaintiff was bound over to make a good title to the College on attaining the age of twenty-one, the College to pay her £6 13s. 4d., which may be supposed to be something more than the costs of the suit in the 'Court of Poor Men's Causes'.¹ Although the property consisted, as is recited in the judgement of the Court, of two messuages, it must have been let as one holding, for their rent of 13s. 4d. is described in the *Valor* of 1547 as 'firma vnus tenementi dimissi Johanni Mynchyn'.

IX

The Bursars' Rolls

The intended number of Fellows was, as has been seen from the Statutes, twelve, but it is doubtful, in Churton's opinion, 'whether the number actually appointed by the Founders exceeded five or six at most.'² As enumerated by him, the original Fellows were John Haster, John Fornby, Richard Messenger, and John Legh. Some of these are mentioned elsewhere. The meagre details which have survived as to the others are collected in Principal Heberden's *Register*. It may, however, be doubted whether Churton's statement is correct, for as early as the Bursars' Roll for 1516-17 (A. 7) the record of the deposit of money in the

¹ The interlocutory proceedings and the judgement are to be found in vol. 7 of the Order Books of the Court of Requests in the Public Record Office, the judgement being on p. 188.

² *Lives*, pp. 301, 302.

chest in presence of the six Seniors implies that there were junior Fellows as well. In addition to the four already mentioned, Churton gives six others who were engaged in the business of the College, as Fellows, during its early years. Of these some also appear in these pages. They are Richard Shirwood, Richard Gunston, Simon Starkey, Richard Ridge, Hugh Charnock, and Ralph Bostock.

Another mention of the 'six Seniors' is to be found in the following entry for 1521-2 (B. R., vol. A. f. 22):—

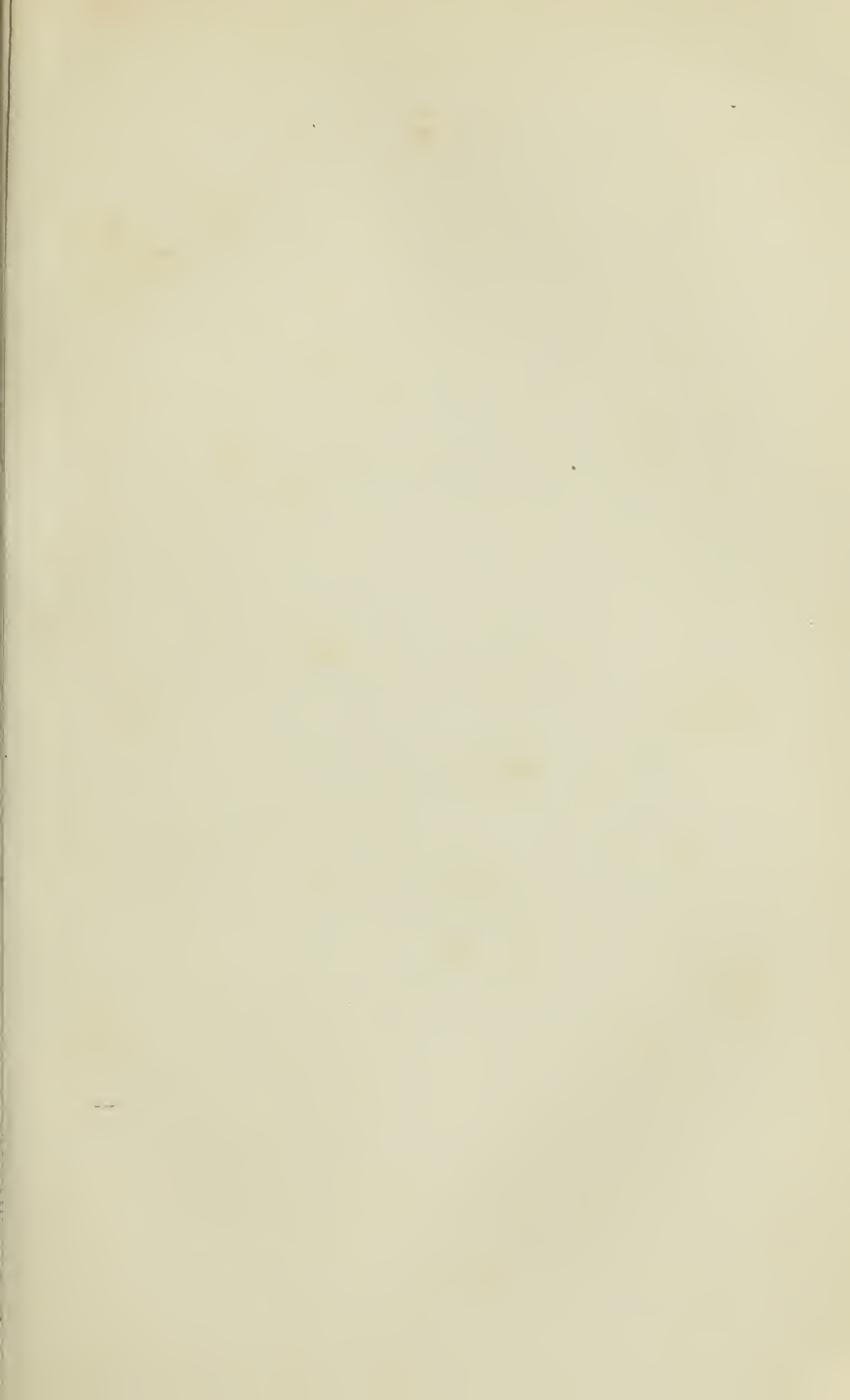
'Et solutum pro communiis sex sociorum per spacium quinque septimanarum tempore pestis xxv^s.'

This is interesting because it shows that the allowance for each Fellow during his absence from Oxford was at this time approximately 8*d.* a week, whereas in the *Valor* the weekly commons of each are estimated at 14*d.*, a difference doubtless due to the high prices of 1545. But it also shows that, if the statute was observed, by which it was provided that at least four Fellows were to be left in Oxford, should there be an emigration in time of plague, there must have been ten Fellows at least. But again, in the Roll for 1524-5 is an entry (B. f. 18):—

'Et solutum pro communiis magistri Principalis et septem Sociorum pro vno anno integro. anno xvij Regis Henrici VIII. xij^{li}. xvij^s. viij^d. ob.'

As vacancies were to be filled up within 40 days, the entry clearly makes for no more than seven Fellows. On the other hand, it must be remembered that in circumstances of financial exigency, Fellowships might, with the sanction of the Visitor, be temporarily suppressed. In the *Valor* of 1547 the Fellows number fourteen.

Readers of the Monograph upon Benefactors will note the rapidity with which endowments poured in upon the College. While ancient foundations, like University and Balliol, were maintaining a bare struggle for existence, Brasenose early bid fair to become a prosperous College. It was no series of fortunate accidents. In the academic world Brasenose was the expiring cry of the Middle Ages. It appealed to a large and influential body of orthodox and conservative opinion, and it was because it was representative of a cause that, with



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no powerful minister, such as Wolsey, as its patron, and with nothing but a complimentary association with royalty, benefactors crowded to enrich it. Such of them as bestowed estates are recorded in the Bursar's Monograph. There are however, others who are now disinterred from the Bursars' Rolls, whose donations were in ready money. The earliest of those of whom a record has survived is Sir Thomas Blount, who in the Roll for 1515-16 is entered as the donor of £6 13s. 4d.¹ Little is known about him, but that little identifies him with the Lancastrian and clerical party, for he was knighted by Henry VII after the battle of Stoke.² His executors handed over £5 as a gift to the College in 1525.³

Another benefactor, Sir John Husy, may stand as an example of the class who came forward with their support. In 1517 he first appears as a benefactor with a gift of £13 6s. 8d.⁴ (40 nobles). He was the eldest son of Sir William Husy, or Hussy—the name is spelt in a variety of ways—Chief Justice of the King's Bench under Henry VII. Sir John was sworn a member of Henry VIII's Privy Council, and in 1529 was created Lord Hussy. But he belonged to the Conservative and clerical party, was an adversary of the 'new learning', and in 1537 was executed for complicity in the Lincolnshire rising against Henry VIII's religious changes. His donation of 1517 was followed in the following year by one of £10,⁵ in 1524 by one of 40s.,⁶ and in 1527 by another

¹ Churton, *Lives*, p. 444 n. a, has printed the name 'John' and records that he has not ascertained who this person was. But the name both in the Roll A. f. 6 and in the Plate Book is perfectly legible, so that Churton probably made a mistake in his notes.

² Sir Thomas Blount, of Kynlet, Salop, lord of the manors of Astall and Astallyngley, co. Oxon. (Inq. post mortem Henry VII, p. 932, 20 April, Henry VII (1494)), and landowner in Staffordshire (*Letters and Papers, Henry VIII*, IV. 2002, 10) was knighted on the field after the battle of Stoke by Henry VII on 16 June, 1487 (W. C. Metcalfe, *Book of Knights* (1885), p. 16). He accompanied Henry VIII in his invasion of France and on landing was made a knight banneret (16 June, 1513, *L. & P.*, I. 4253). On 7 November, 1518, he was appointed Sheriff of Salop (*ibid.*, II. 4562), for which county he was from 1510 continuously on the commission of the peace. He was a commissioner of subsidy for Salop in 1525 (*ibid.*, III, p. 1363) and died about the end of 1525 (*ibid.*, IV. 2002, 10).

³ B. R., vol. B. f. 13.

⁴ B. R., vol. H. f. 6.

⁵ *Ibid.*, f. 9.

⁶ B. R., vol. B. f. 3.

leased to her by the College. It is somewhat melancholy reading to find in the Bursars' Rolls for 1545-6: ¹

'Et in arreragiis super Margeriam Collyngryng ² pro terris et tenementis nostris in Skegnes et Sutton in Comitatu Lincoln pro anno xxxviiij dicti Regis. xx^s. iiij^d.'

The College might well deal generously, as it doubtless did, with Margery Colyngryge. She was born Margery Smyth, and was a great-niece of the Founder. Her husband was an example of the class which were rallying to the College as the bulwark against innovations in the Church, being principal verger and constable of the Cathedral of Lincoln. William Clayton, gentleman, of whom nothing is known, except that in the Plate Book he is recorded as the depositary in 1523 of £3, is entered in the Roll of the following year as the payer of that amount, ³ which suggests that he had entered into a bond for its payment, treated by the Bursars as a debt to the College, which he then discharged. On the same leaf occurs the following entry:—

'Onerantur dicti Bursarii de pecuniis per ipsos receptis de magistro Ricardo Sutton milite ad edificacionem cuiusdam muri vt de forensecis. v^{li}.'

Presumably this wall was a part of the College. There was another building transaction with Sutton. On July 15, 23 Henry VII (1508), Sutton conveyed to trustees enfeoffed to the uses of his will, *inter alia*, 'tenementa mea in Comitatu Middlesex.' ⁴ The principal part of these was 'a messuage called the White Hart in the parish of St. Mary in the Strand'. ⁵ This was conveyed to the College by lease dated July 18, 11 Henry VIII (1519), followed by a release on November 29. Nevertheless, the inn was, apparently, in a ruinous state, and Sutton compelled the College to pay him for the rebuilding of it. In the Roll for 1520-1 occurs the following entry: ⁶—

'Et solutum ad manus magistri Ricardi Sutton pro edificacione vnus domus apud Strond in London vocate the Sygne of the Hert xxx^{li}.'

¹ vol. J. f. 13.

² *Sic*.

³ B. f. 3.

⁴ Principal Yate's Register, f. 97.

⁵ Churton, pp. 421-2.

⁶ A. f. 17.

In the Roll for 1523-4, the house is christened 'the Whyte Hert'. It would be interesting to know whether this sign, a badge of the Yorkist party, to which his will indicates that Sutton belonged, was conferred by himself. It was on the north side of the Strand, and was built over a passage leading to Covent Garden.¹ Its rent was £5 a year, so that on the £30 expended in its building the College obtained, for interest and depreciation, £16 13s. 4d. per cent.

This agreement, by which the College paid towards a benefaction from Sutton, is paralleled by another such arrangement which appears from the Rolls. Sutton enjoys the credit² of having presented the College with an estate at Garsington and Cowley. The Bursars' Rolls disclose that the College contributed to its acquisition out of its own resources. It had been sold to Sutton by William Cotton, a priest, in 1522, for £46. The vendor covenanted that it was worth 50s. 'and some pens value over and above the yearly charge.'³ As a matter of fact, the rent received from it in 1523-4 and afterwards was 49s. 4d.⁴ By a receipt of 13 July, 22 Henry VIII (1530), 'William Coton of Oxford clerk' acknowledges the receipt from Sutton of £20 'in full satisfaction for all lands, &c., lying in Garsyngton and Cowley'. But this was an unpaid balance. The College had been paying for it by instalments. In the Roll for 1523-4 we read:

'Et solutum Willelmo Coton clerico in parte solucionis cuiusdam summe pro diuersis terris ab ipso perquisitis in Garsyngton et Cowley
vii.⁵

Another instalment of 40s. was paid by the College the year following.⁶ In the Roll for 1529-30⁷ is entered:

'Et etiam solutum executori Willelmi Coton clerici in plenam solucionem cuiusdam summi⁸ debiti ad Willelmum pro terris ab ipso perquisitis jacentibus in Garsyngton et Cowley
xxvj⁹. viij^d.⁹

The College, therefore, was not altogether a recipient, in this case, of Sutton's liberality, but was a joint purchaser with him.

¹ See further, Monograph VI, p. 15.

² Monograph VI, p. 15.

³ Garsyngdon, 41.

⁴ B. R., vol. B. f. 3.

⁵ Ibid., f. 9.

⁶ Ibid., f. 19.

⁷ Ibid., D. f. 6.

⁸ *Sic*.

⁹ B. R., D. f. 6.

There were, however, sums acknowledged by the Bursars as gifts ('*ut de forensècis*'), upon which the suspicion arises that this form of entry was adopted in order to cloak the ownership of the College, presumably by way of keeping well within the limits of the licence in mortmain granted by the Charter. For example, in the Roll of 1523-4¹ the Bursars enter :

'*Iidem Bursarii*² *onerantur de pecuniis per ipsos receptis pro certis terris et tenementis in Stanlake vt de forensecis* xxxi^s. viij^d.'

Now we know that on 14 June, 16 Henry VIII (1524), Philip Fettiplace esquire bargained and sold 3 messuages, 100 acres of arable land, 100 acres of pasture, and 20 acres of meadow in Stanlake and Brightwalton, Oxfordshire, to Simon Sterky, afterwards, and perhaps at that time, Bursar.³ This only conveyed an equitable interest, and, probably in order to guard against any dishonest claim by Sterky, Fettiplace on 16 June, two days later, granted the legal estate to Richard Rugg, who may be identified with Richard Ridge or Rydge, Junior Bursar in 1526-7, and Hugh Charnock, Junior Bursar in 1515-16, Simon Sterky remaining the beneficial owner.⁴ On 21 October, 21 Henry VIII (1529), Sterky conveyed his equitable estate to John Baker, alias John Elton, canon of Sarum, who on 10 November following conveyed it to Principal Matthew Smyth.⁵

It is not easy to say why this roundabout method of conveyance was adopted. But one thing is certain. In 1524 Sterky was holding the equitable estate as trustee for the College, while the legal estate was vested in two more of its Fellows. Technically, the 31s. 7*d*. may have been '*de forensecis*'; substantially the land was already the property of the College.⁶

¹ Vol. B. f. 3.

² The heading of this roll (B. f. 1) giving the Bursars' names is mutilated.

³ Stanlake, 6.

⁴ *Ibid.*, 12.

⁵ *Ibid.*, 13.

⁶ The same system was pursued when the College first acquired land at Longford and Twygworth, Gloucestershire (B. R., vol. C. f. 16). In the case of the Herefordshire estate, of which the College apparently acquired both the equitable and legal estate in 1531, the rent returned '*vt de forensecis*' is £6 13s. 4*d*. (*ib.*, 11. f. 9),

There appears to have been another way in which benefactions were granted to the College, if inferences from the Bursars' Rolls are to be relied upon. In distant parts of the country, as the experience of the Bursars showed, there was a difficulty in getting in rents. For a corporation with considerable estates this difficulty could be surmounted by the employment of professional rent-collectors, though these, as in the case of the Leicestershire agents of the College, were by no means always to be trusted. It may very well have been that private landowners, with small estates at considerable distances, found the expense of collection scarcely repaid by the rents collected. This may explain what appears to be the occasional assignment of small sums of rent to the College. For instance, in 1528-9 occurs the following entry¹:—

'Idem Bursarii onerantur de pecuniis per ipsos receptis pro certis terris et tenementis in Massyngton in parochia de Ledbury in Comitatu Herford vt de Forensecis. xxs.²

A like receipt, and for the same amount, appears in a mutilated entry in the Roll for 1523-4,³ from land at Little Compton, Gloucestershire. As the College never held land at either of the above places and these remain isolated receipts, the inference is that they were benefactions.

Occasional entries are also to be found pointing to the ownership of an estate in places of which no other record remains. Two of these occur in the Roll for 1532-3.⁴

'Et solutum eciam Curie de Radley pro tenemento xv^d. Bakers.'

'Et similiter solutum Curie de Horton pro Smyths howse. iiij^s iiij^d.

Both of these are, presumably, copyhold tenements; but the name of neither of them has occurred before, nor have

whereas, as the Roll for 1531-2 shows, the whole rent was £13 13s. 4d. (B. R., vol. D. f. 15). But that is still entered 'vt de forensecis', a form dropped later.

¹ B. R., vol. D. f. 17.

² The same sum is acknowledged as received in 1530-1 'pro certis terris et tenementis in Alkeryng in parochia de Ledbury', but 'vt de forensecis' is not added. I can find no other reference to this place. Qu. whether this is a mistake, made by a clerk writing from dictation, for Massyngton; *ibid.*, vol. D. f. 9.

³ *Ibid.*, vol. B. f. 3.

⁴ B. R., vol. D. f. 25.

I come upon them elsewhere, nor is any document affecting them to be found among the College muniments.

Among the receipts of the College occur from time to time entries, of which the earliest (1524) follows:—

'Onerantur dicti Bursarii de reddit. solar. vt de forens. ix^s iiij^d.' ¹

I have transcribed the entry without extension, so as not to prejudice the interpretation of 'solar'. In the year following the amount is 6*s.* 2*d.*² It appears again in 1528–9 as vij^s iiij^d.³ In 1530–1 the entry is made, but a blank left for the amount.⁴ There is no such entry in many of the Rolls, notably not in that of 1545–6, nor in the *Valor* of 1535 nor 1547.

The first question to decide is, should 'solar' be extended to 'solarum' or 'solarium'? There are difficulties in the way of either alternative. If 'solarum', could these have been rents from the Halls in Schools Street, also sometimes called 'Schools', rented by the College from Osney Abbey, &c.? The answer to this is that these were apparently let to graduates, being outside the College walls. Note has elsewhere been taken of the 'Camera Rogeri Dyngley doctoris infra Aulam vocatam litill Edmund Hall', for which he paid 6*s.* 8*d.*⁵ The *Valor* of 1547 preserves a discreet reticence as to these sources of income, affirming that the rent of the site of the College 'cum omnibus domibus edificiis ortis pomariis gardinis ac terris et solo infra scitum et circuitum dicti Collegii' brings in nothing because it is reserved for the use of the Principal and Scholars. This may have been literally true, but in the Rolls for 1545–6 are four entries 'pro camera in tenura', &c. One of these discloses the place of the chamber as being 'in aula nigra in tenura Magistri Smyth',⁷ its rent being 20*s.* The rents of two others, let to

¹ B. R., vol. B. f. 3.

² Ibid., f. 19.

³ C. f. 17.

⁴ D. f. 3.

⁵ C. f. 3.

⁶ J. f. 12.

⁷ If this was Matthew Smyth, Junior Bursar, 1537–9, either Black Hall, though on the opposite side of Schools Street, was reckoned as within the College while the College was in building, or a dispensation for living outside must have been obtained from the Visitor. But these difficulties and the commonness of the name suggest that the tenant was probably not a Fellow, nor need he have been a member of Brasenose at all, as appears to have been the case with Dyngley.

two Masters of Arts, Caple¹ and Vernam,² are 8s. each, and that of the third, let to a Bachelor ('in tenuta domini gode') is 4s.³ The conclusion therefore is, that 'scolarum' is not the word intended. But, if 'scolarium', who are these scholars who return a redditus? By Sutton's *Statutes*, chapter viii, every Scholar was to be entitled to chamber, lectures, washing, hair-dressing, and the services of manciple and cook at the expense of the College.⁴ It does not, however, appear that the two Scholar-Fellows founded by John Williamson in 1520 were privileged. We know that they were entitled, not to full commons, but to a contribution towards the cost of their commons.⁵ And as 1524, the year of the first of these entries, is the year in which one of them is first recorded as in residence,⁶ it may perhaps be taken that these sums represent the rents paid by them for rooms.⁷ As the revenues of the College increased, it may be supposed that, without too nice a scrutiny of the funds of the benefaction, they, like the rest, were allowed rooms rent free, as the *Valor* affirms.

The difficulty of getting rents from a distance has been mentioned. Of this the Leicestershire property of the College furnishes the most conspicuous instance. On August 8, 1524, the College, which had been lessees, became by a benefaction of Sutton, owners in fee of lands in Borow, Pickwell and Somerby, Leicestershire. Their rent-collector, Christopher Berdaw, is entered in the Roll for Michaelmas of that year as in arrears with the rents 19s. 1½d.⁸ A bailiff named Henry Gyllot was put in his place, with the lamentable result that at Michaelmas, 1525, he was £16 11s. 7d. in arrears,⁹ which had increased by Michaelmas, 1526, to £30 11s. 9d.,

¹ Of Brasenose, B.A. 1539. Principal's Register, p. 8.

² Qu. Whether this could have been Thomas Vernam, who only took his B.A. degree on Feb. 17, 1545, Princ. Reg., p. 11.

³ Apparently not a member of Brasenose.

⁴ Monograph IV, p. 9.

⁵ B. R., vol. B. f. 18, amounting in 1524-5 to £3 2s. 6d. 'pro communiis domini Peke et Johannis Port, scolarium Johannis Wylliamson'.

⁶ B. R., vol. B. f. 8.

⁷ This solution still leaves the difficulty why the rent being 9s. 4d. in 1523-4 should fall to 6s. in 1524-5, unless it was that the rents were reduced in that year owing to the absence of the Scholars from Oxford on account of plague.

⁸ B. R., vol. B. f. 6.

⁹ Ibid., f. 22.

Berdaw's debt being still unpaid and the total amounting to £31 10s. 10½*d.*¹ The property had also been neglected, for between 1525 and 1528 £11 13s. 11*d.* had to be spent on repairs.² In the course of the year 1526-7 some change was made. The arrears were reduced to £22 3s. 6*d.* and rents were received to the amount of £10 11s. 9½*d.*,³ at which they continued until the *Valor* of 1547, when they unaccountably fell to £9 13s. 4*d.*

Other rent-collectors are mentioned; notably Henry Rathbone, who was in the service of the College in 1516,⁴ and still in 1546.⁵ He was retained at a salary of 26s. 8*d.* and expenses 'in equitando circa negocia Collegii',⁶ which in 1516-17 amounted to 27s. 4*d.* Walter Pates was employed for the Gloucestershire property in 1543-4 at the salary of 13s. 4*d.* (one mark).⁷ Even as near Oxford as Cropredy, Richard Lumbard collected the rents for 3s. 4*d.* (half a noble).⁸ An accountant ('clericus computi') is first mentioned in the Roll for 1522-3, but his salary does not appear, it forming part of the general expenses of the audit, which included 'light refreshments', to judge by the costs.⁹ The entry in that year runs:—

'Et solutum per manus Bursarii pro expensis Clerici Computi et aliorum extraneorum ac amicorum et Firmariorum tempore computi v^s.'¹⁰

In 1532 we first hear of the College solicitor:

'Et solutum Michaeli Ashfield Solicitori pro Collegio pro Feodo suo xxvj^s. viij*d.*'¹¹

By 1546 he has blossomed into 'Johanni Hunt generoso Solicitario nostro'.¹²

Horses were a necessity, and the College accordingly kept a stable and a groom. 'Custodi equorum xxvj^s'¹³ is the entry

¹ B. R., vol. C. f. 5.

³ Ibid., ff. 3, 5.

⁵ Ibid., vol. J. f. 16.

⁸ In 1525-6, B. R., vol. B. f. 23.

⁹ Ibid., vol. A. f. 26.

¹¹ Ibid., vol. D. f. 20.

² Ibid., vol. C. f. 13.

⁴ Ibid., vol. A. f. 3.

⁷ Ibid., vol. H. f. 7.

¹⁰ Ibid.

¹² Ibid., J. f. 16.

¹³ The statutory stipend of the Vice-Principal was 26/8, but he had his rooms, allowances, and Commons as a Fellow, the last being estimated in the *Valor* at 2*d.* a day.

in the *Valor*. How many horses there were is not very clear. In the earlier years, it would seem, only one, for an entry in the Roll for 1527-8 runs:

‘Et eciam solutum pro expensis necessariis ad equum Collegii xv^s. ob.’¹

But in 1530-1 more were bought, for we find:

‘Et solutum pro necessariis ad equum Collegii et pro empcone equorum xlix^s. vi^d.’²

Unfortunately, we do not learn how many horses were represented by the plural.

A new horse and his keep are set down in the Roll for 1531-2³ as costing 20s. 0³/₄d. The account can only represent a fraction of a year, and even then both horse and fodder must have been very cheap, for Rogers comes to the conclusion that before 1537 ‘the price of a good saddle horse ranged from 35s. to 45s.’, after which it rapidly increased.⁴ Was this the horse which the College got well rid of in the following year for 14s. ‘pro vendicione vnus equi vt de forensecis’?⁵ Why it should be recorded in this form is not apparent, but the entry suggests a gift-horse which had been looked in the mouth! It was a better bargain, at any rate, than that made in 1534, when the College parted with two for 18s.⁶ In the Roll for 1542⁷ the purchase of a horse and the keep of a horse, the two items being lumped together, cost £4 5s. 8d.; but two years later more than one horse was permanently kept, ‘pro necessariis ad equos Collegii,’ costing £4 4s. 10d.⁸

This raises the question: What was the cost of a horse’s keep? Where this is separately entered ‘ad equum’, we have the following figures:

¹ B. R., C. f. 19.

² Ibid., D. f. 13.

⁴ Ibid., f. 20.

³ *Hist. Agr. and Prices*, iii. 336. On 8 March, 154⁸/₉, Cuthbert Underwode sued (Roger) Ogle, ‘Scholar’ (Fellow) of Brasenose, for four nobles (26s. 8d.), the price of a horse. Dr. (John) Standishe (Principal’s Register, p. 4) and Mr. Pembleton (ibid., Henry Pembleton) became sureties for the payment. *Reg. Cur. Cancell. G. G.* (A. Clark).

⁵ B. R., vol. D. f. 22.

⁶ B. R., vol. E. f. 2.

⁷ Ibid., vol. G. f. 25.

⁸ Ibid., H. f. 7.

Year.	Reference.	Cost of keep.	
		s.	d.
1525-6	B. f. 26	17	0
1526-7	C. f. 9	13	3½
1527-8	C. f. 14	15	0½
1528-9	C. f. 23	16	8
1532-3	D. f. 26	20	8

At this rate, the entry for 1543-4 of £4 4s. 10d. would imply four horses. But the *Valor* of 1547 specifies two. Now the price of oats a quarter was 2s. 9½d. in 1533 and 3s. 4d. in 1544.¹ It is impossible, therefore, that oats could have been the staple of their diet, if indeed they formed any appreciable part of it. In modern times the quantity of oats allowed by Government for officers' horses is 12 lb. a day. Taking that as an average of consumption, the keep of a horse when oats were at 3s. a quarter would amount to £24 a year. It follows that the College horses must have been sorry jades, fed on hay and grass.

From the keep of horses we may pass to that of men. The average cost of this is set out in the *Valor* of 1547. The College and its staff at that time consisted of a Principal, fourteen Fellows, seven Scholars, and eight servants. The allowance for the Principal and Fellows was 2d. per head per diem, supplemented in the course of the year by 4s. 8d. per head on occasion of various anniversaries, and by 26s. 8d. per head on those of the Founders. These figures enable us to ascertain approximately that much-vexed question—the number of Fellows at various times. Added together, the cost of subsistence and the allowances come out as follows:—

Cost per annum and allowances.

	£	s.	d.
Principal's Table	3	15	4
Vice-Principal and thirteen Fellows ²	45	14	8
Augmentations	1	6	8

Total cost of Principal and fourteen Fellows² £50 16 8

¹ Rogers, iv. 288.

² So in the summary of the *Valor*; in the first entry fourteen, which is a blunder by reason of the additions of the Vice-Principal, who was necessarily a Fellow.

This works out at an expenditure of £3 7s. 9d. (= 813d.)¹ per head per annum. A division of the cost of the subsistence of the Principal and Fellows taken together by the cost per head would not, however, give an accurate result, because two months' leave of absence from College was allowed to each Fellow and three months to the Principal during the year. This would give a maximum of twenty-eight months' absence for the fourteen Fellows, and three months for the Principal—a total of thirty-one months. But this calculation is complicated by the provision of the statutes that, except in time of plague, when the number might be reduced to four, six Fellows must always be in College. Further, it will be remembered that the statutes open with a declaration that Brasenose was to be 'unum perpetuum Collegium pauperum et indigentium scolarium'. Travelling was expensive. It could only be done on foot or on horseback, and the Fellows without any stipend and with no allowance for commons when at home in the country were not likely to be in the condition to afford even the hire of a horse. If that thirty-one months be reduced to twenty-four months, as the total number of months during which the entire governing body of fifteen members was absent from College in the course of the year, we shall probably be well within the mark. Twenty-four months' board would be the board of two Fellows for a year. To ascertain approximately the number of Fellows, therefore, we should have to add two to the quotient resulting from dividing the total cost of commons by the fixed rate of cost per head. If the total number of months of absence in a year were underestimated, the number of Fellows would probably be greater; if over-estimated, less.

This method of arriving at the number of Fellows must, however, be tested by the one case in which our information is clear and detailed, the *Valor* of 1547. The total cost of subsistence of the Principal, Vice-Principal, and thirteen Fellows is set down at £50 16s. 8d. No deduction, therefore, is made for absences, showing that the sum expended is an

¹ I have omitted the fraction of $\frac{1}{3}$ d.

estimated, not an actual, total. Since the *Valor* states the actual number of Fellows, they must have fared better, owing to the uncounted absences, than would appear on the face of the figures.

I incline, however, to the belief that some allowance must be made for the circumstances under which the *Valor* was taken. The confiscation, at least of the superfluous wealth of the Colleges, was in the expectations of the greedy courtiers, already, as Henry VIII expressed it, 'fleshed with the Abbey lands.' The College succeeded in exhibiting a deficit, and I cannot doubt that the method of reckoning the Principal and all the Fellows as continuously resident between Michaelmas, 1545, and Michaelmas, 1546, was adopted in order to contribute to this result. If this were not so, and the total cost of subsistence of the Principal and Fellows for each year were divided by 813, without any margin, such as has been suggested, for absences, results would be obtained which we can be morally certain are incorrect. For example, in 1525-6 there would not be more than the Principal and four Fellows in all, and yet, as early as 1516-17, the Bursars' Rolls record the deposit of a balance in the chest 'in presencia principalis et sex seniorum tunc presentium'.¹ I revert, therefore, in dealing with years prior to 1545-6, on which the *Valor* was founded, to the margin of two Fellows in addition to those of the quotient.² The following table supplies the data, and the last column but one the number of the governing body inferred :—

¹ B. R., vol. A. f. 7.

² Where there is a remainder exceeding 50 per cent., I reckon it as = 1.

COST OF COMMONS OF PRINCIPAL

St. Hugh's Day,
17 Nov.-17 Nov.

Principal and Fellows.

Servants.
Bible Clerk, Barber, Manciple,
Butler, and Cook.

1515-16	No entry preserved	No entry preserved
1516-17	No entry made	No entry made
1517-18	No entry made	No entry made
1518-19	No entry preserved	No entry preserved
1519-20	No entry preserved	No entry preserved
1520-1	No entry made	No entry made
1521-2	25s. for 6 Fellows 5 weeks 'tempore pestis'	£1 14s. 2d. for 4 common servitors for 13½ weeks. 'Tempore pestis'
1522-3	£3 4s. for 6 Fellows 'tempore pestis'	£2 11s. 8d. for 3 common servitors and cook's wages for 2 terms. 'Tempore pestis'
1523-4	£13 7s. 9d. (all commons taken together) 'Pro anno integro'	
1524-5	£12 17s. 8½d. (Principal and 7 Fellows)	£3 4s. 2 (Bible clerk and 5 servants). 'Tempore pestis'
1525-6	£18 15s. 0½d.	£5 15s. 8d. (Bible clerk and 4 ser- vants). 'Tempore pestis'
1526-7	£29 4s. 8d.	£5 19s. 6d. 'Et solut. circa dividend. Communis tempore pestis' xv ^s qrs.
1527-8	£28 19s. 5d.	£4 4s. 8d. 'Et solut. circa dividend. Communis tempore pestis' (blank)
1528-9	£19 15s. 10d.	£5 5s. 8d. Bible clerk and 4 servants
1529-30	£28 6s. 4d.	£4 15s. 11d. For 4 servants = man- ciple, butler, barber, cook
1530-1	£32 5s. 8d.	No general entry made. 43s. 4d. for barber's commons only
1531-2	£29 11s. 2d.	No general entry made. 43s. 4d. for barber's commons only
1532-3	£31 11s. 10d.	£6 3s. 4d. 4 servants = barber, cook, butler, manciple
1533-4	Not examined	
1534-5	"	
1535-6	"	
1536-7	"	
1537-8	"	
1538-9	"	
1539-40	"	
1540-1	"	
1541-2	"	
1542-3		
1543-4	£31 11s.	£9 19s. 4d. 5 servants = ut supr.
1544-5		
1545-6	£30 19s. 11d.	£10 0s. 8d. 5 servants = ut supr.
1547, <i>Valor.</i>	£49	£10 6s.

AND FELLOWS AND SERVANTS

	<i>Average prices for the second of the two years (from Rogers's Hist. of Agriculture and Prices, vol. iv).</i>	<i>Inferred number of Governing Body, including Principal.</i>	<i>Bursars' Rolls. Reference.</i>
			Vol. A.
			„ A.
1519-20	Wheat 9s. 4½d., Oxen 26s. 3d., Muttons 4s. Wheat 7s. 8½d., Oxen 33s. 4d., Muttons 3s. 4d. Wheat 6s. 0¼d., Oxen 40s., Muttons 4s. 0½d.		„ A. f. 22
	Wheat 5s. 6d., Oxen 26s., Muttons 2s. 11d.		„ A. f. 26
	Wheat 5s. 1½d., Oxen 33s. 4d., Muttons 3s. 4d.		„ B. f. 8
1525-6	Wheat 5s. 5d., Oxen 29s. 5d., Muttons 3s. 4d.	8	„ B. f. 18
	Wheat 6s. 2½d., Oxen 21s. 11d., Muttons 2s. 10¾d.	8	„ B. f. 24
	Wheat 12s. 11d., Oxen 24s. 4d., Muttons 3s. 2d.	11	„ C. f. 8
	Wheat 8s. 10¼d., Oxen 33s. 4d., Muttons 2s. 10d.	11	„ C. f. 13
	Wheat 8s. 10¼d., Oxen 28s. 10d., Muttons 3s. 0¼d.	8	„ C. f. 22
	Wheat 8s. 5d., Oxen 35s., Muttons 4s. 4½d.	11	„ D. f. 6
1530-1	Wheat 8s. 2¼d., Oxen 31s. 2½d., Muttons 3s. 3½d.	12	„ D. f. 12
	Wheat 8s., Oxen 25s. 3d., Muttons 2s. 10¼d.	12	„ D. f. 19
1532-3	Wheat 7s. 8d., Oxen 22s. 8d., Muttons 3s.	11	„ D. f. 26
		10 ¹	
1542-3	Wheat 9s. 3¼d., Oxen 28s. 0¾d., Muttons 5s. Wheat 9s. 0¼d., Oxen 30s. 5¾d., Muttons 3s. 8d.	11	„ H. f. 8
	Wheat 15s. 6¾d., Oxen 36s. 5½d., Muttons 5s.		
	Wheat 8s. 3½d., Oxen 39s., Muttons 6s.	11	„ J. 15
1547, <i>Valor</i>	Wheat 4s. 11d., Oxen 39s., Muttons 4s. 6¾d.	14 ²	<i>Valor</i> , f. 41 (based on B. R., 1545-6)

¹ *Valor Ecclesiasticus* 1535 (including T. Alen) see p. 160 *infra*.² The actual number was 15.

While the cost of subsistence of the Fellows was £3 7s. 9d. per head per annum, that of the five Scholars on the Foundation of John Claymond¹ was £2 13s. 4d. The four principal servants, the manciple, butler, cook, and barber, the last being also porter, were estimated at 10d. a week per head, or £2 3s. 4d. per annum. The 'Lector Byblye', or Bible-clerk, was expected, it would seem, to maintain himself in part, since the estimated expenditure on him of 32s. 8d. a year is expressed to be, not as in the case of the others, 'pro communiis suis,' but 'versus comunias suas'.²

The yearly stipends paid by the College to its officers and servants were as follows:—

Principal	£5
Vice-Principal	31/8 ³
Bursar (each)	13/4
Lector Logices ⁴	£4
Lector sacre Theologie	6/6
Dean of Chapel ⁵	6/8
Manciple	40/-
Manciple's assistant	20/-
Barber = Porter	40/-
Cook	40/-
Groom	26/8
Bursar's servant	20/-

The expenses of the kitchen are not entered, or the entries have not been preserved, prior to 1531-2, when a sum of £8 3s. was spent 'pro lignis et focalibus ad coquinam', 'focalibus' perhaps standing for small wood.⁶ In the same year is another entry, 'pro lignis et aceris,'⁷ presumably

¹ See Monograph IV, p. 13.

² An entry occurs occasionally as to the meaning of which I am in doubt. For example, in C. f. 8 (1526-7): 'Et solutum circa diuidend. communiis (*sic*) in tempore pestis—xv^d qns.' And again in the next year (ib. f. 13), where the amount is left blank.

³ It was fixed by the statutes at 26/8 and is first recorded as having been paid in the account for 1524-5 (B. f. 19). It continued at that rate till 1545-6, when it became 31/8 (J. f. 16), but is entered in the *Valor* as 26/8.

⁴ Called the 'Lector Scholarium' in 1545-6 (J. f. 16).

⁵ Called the 'supervisor capelle' in 1524-5 (B. f. 19).

⁶ B. R., vol. D. f. 19.

⁷ Ibid., f. 20.

for 'aceriis', fire-irons, 13*s.* 11*d.* This, being a separate account, probably refers to the Hall. The highest sum recorded in the Rolls examined as spent on fuel for the kitchen is £8 5*s.* 3¼*d.* in 1543-4,¹ the lowest £6 11*s.* 8*d.* in 1545-6.² In the *Valor* of 1547, the cost of the repair and renewal of the kitchen utensils is thrown together with that of the fuel and an average estimate struck of £10 a year.

Very little is to be extracted from the Bursars' Rolls showing the progress made in the buildings. That Brasenose Hall was allowed to stand until most of the building was completed may be gathered from the entry of 1516-17, which first gives the expenses of plumbing the Tower. These appear in successive accounts, for the College could only afford to pay by instalments. In the Roll for 1516-17 we find the sum of £6 paid 'in partem solucionis'.³ In 1517-18 £2 more was paid.⁴ A final balance of £4 1*s.* 2*d.* was discharged in the Roll of 1520-1, making a total of £12 1*s.* 2*d.*,⁵ so far, at least, as the accounts preserved in the Rolls show. Entries of expenditure upon the Chapel constantly occur. Its dedication is mentioned in the Plate Book under 1520 (f. 4):—

'Item extraximus a cista in festo dedicationis capelle . . . xli.'

As this entry comes between entries of extractions from the chest dated the vigil of St. Giles (August 31) and the feast of St. Luke (October 18), the dedication presumably took place between those dates.⁶ The earliest entry preserved as to the Chapel is in the Roll for 1516-17,⁷ when £3 4*s.* 6*d.* was expended on necessities enumerated as 'wax, wine, bread, washing of vestments', &c. The inference is that a temporary chapel was in use up to 1520, when the chapel proper was finally completed. In addition to these, vestments were bought in 1520-1, the total outlay on the Chapel being 47*s.* 9*d.*, an indication that those bequeathed by Bishop Smyth never reached the College, having been, as is believed, intercepted

¹ B. R., vol. H. f. 8.

² Ibid., vol. J. f. 15.

³ Ibid., vol. A. f. 7.

⁴ Ibid., f. 11.

⁵ Ibid., f. 19.

⁶ Churton, p. 295.

⁷ B. R., A. f. 7.

by Cardinal Wolsey.¹ There is no record of the purchase of an organ, currently called in those days and long after, a 'pair of organs', but in 1523-4 is an entry:—

'Et solutum in necessariis circa Capellam videlicet in cera, pane, vino, locione, empcone et reparacione vestimentorum ac reparacione organorum vt per billam examinatam apparet iiij^{li} iij^s.'²

They were perhaps the gift of Bishop Smyth.³ An entry in 1525-6⁴ mentions the purchase of books for the chapel: the total expense on its maintenance for the year being 31s. 5½d. The organs twice required repairs in 1543-4, at a total outlay of 23s. 1½d.,⁵ following the heavy charge for necessities in the year previous of £7 12s. 11d.⁶ When in 1547 the *Valor* returned 53s. 4d. as the average cost of the Chapel, it was apparently guilty of no exaggerated estimate. The Library was entered in the same return as costing on an average of years 26s. 8d.

The only other notable entry of construction besides the leading of the roof of the tower is the expenditure upon the latrine,⁷ which was made in 1515-16, when upon it and College business a sum of £10 19s. 8d. was expended, the details of which do not appear.⁸ In 1526-7, 11s. 4d. was spent on repair of the pavement in front of the houses of two of the College tenants,⁹ presumably in Schools Street.

It was a common practice for the religious Houses to act as bankers, giving depositors charges on the whole or on particular portions of their estates. The methods by which they evaded the canonical prohibitions of interest in these operations were ingenious and diverting.¹⁰ Although the College, by its practice of reckoning no interest against defaulting tenants, obeyed the canon law, it did not hesitate to avail itself of the loopholes effected by the ecclesiastical lawyers. We occasionally find, therefore, that it charged some portions

¹ See Churton, p. 349, and Monograph V, p. 8.

² B. R., vol. B. f. 8.

³ See Monograph V, p. 10.

⁴ B. R., vol. B. f. 24.

⁵ Ibid., H. f. 9.

⁶ Ibid., f. 7.

⁷ See Monograph III, p. 67.

⁸ B. R., vol. A. f. 2.

⁹ Ibid., C. f. 8.

¹⁰ See W. Endemann, *Studien in der romanisch-kanonistischen Wirthschafts- und Rechtslehre*, 2 vols. (1874-83), I. 39, 110, 115; II. 360 sc.

of its estates in favour of persons who were evidently depositors, though the danger in which the monasteries stood and their downfall had, doubtless, rendered such forms of investment unpopular. On May 20, 35 Henry VIII (1543), Humphrey Ogle of Salford, Oxon, paid £100 to the College, which in return covenanted that it would within three years assure lands to the value of £5 per annum to maintain two 'Mr. Ogle's scholars'.¹ The accounts show, however, that the College paid Ogle an annuity of £5.² In the *Valor* of 1547 the arrangement with Ogle and another like transaction are set out in full:—

'Denariis annuatim solutis diuersis personis pro termino vite sue et post terminum vitae eorum soluendis duobus Scholaribus ex conuentione inter prefatum Collegium et easdem personas confecta in Augmentatione numeri Scholarium dicti Collegii videlicet Humfrido Ogle clerico pro Annuitate sua per Annum c^s et Elizabethe Buckley vidue pro Annuitate sua per Annum exeunte de Bassettes Fee. xl^s.' } vijli,

By the 'Acte against Usury', 37 Henry VIII, c. 9 (1545), interest had been made legal.

The statutes are not precise in fixing an audit day. The rent-collectors are to come to Oxford in November. After they have given in their accounts the final computus is to be prepared. Although the accounts profess to cover the period between Michaelmas and Michaelmas, they are not always in this respect quite exact. For example: in the Roll for 1523-4³ the expenses of the commons of the Governing Body and servants are reckoned 'for the year ended the Wednesday after St. Hugh's Day', which festival was on November 17. The fact that wheat was particularly cheap in that year prevents the outlay appearing unusually heavy.⁴ On the other hand, in the Roll for 1527-8,⁵ which gives an account of law expenses in every one of the four legal terms, those for Michaelmas Term which, as the last enumerated, must have been Michaelmas Term, 1528, are included. At

¹ Yate, f. 159.

² In 1543 apparently £3 6s. 8d. (B. R., vol. H. f. 3). But in 1544 £5 (ibid., f. 8). So also in 1545-6 (ibid., J. f. 15).

³ B. R., B. f. 8.

⁴ See p. 149 *supra*.

⁵ C. f. 14.

this time Michaelmas Term ended on November 28 or 29.¹ This suggests that the audit may have been held, as in the writer's recollection it was, on St. Thomas's Day, December 21, though I have found no mention of that day in the Bursars' Rolls.

X

The College and the Outer World

The building of the College progressed slowly, and an incident which took place as its walls were rising is eloquent of the hopes and fears with which it was associated. As early as 1512 Foxe, Bishop of Winchester, and Hugh Oldham, Bishop of Exeter,² were building their College of Corpus Christi. At Oldham's instance, as is recorded in a well-known story,³ Foxe had been diverted from his first idea of endowing a seminary at Oxford for Benedictine monks. Like Bishop Smyth, he had begun his building before obtaining his charter. There can be little doubt that the strong leaning to the Humanists of the Renaissance displayed by Bishop Foxe a few years later in his statutes for Corpus was already well known. Two Colleges, each representative of two opposed schools of thought, were rising at the same time. On August 23, 1512, in the Chancellor's Court, an official of Bishop Foxe prosecuted a scholar of Brasenose Hall, named Hastings, for an affray upon the workmen employed at Corpus. Hastings was committed to prison, but on the intervention of Principal Matthew Smyth and of Rowland Messenger, who went bail to the amount of £40, he was released to come up for judgement if called upon. In August, 1514, another skirmish occurred, in which Henry Wright and William Barnes, neither of whom appears in Principal Heberden's Register, were sent to Bokardo prison for wounds inflicted upon one Est, a 'freemason' employed on the works at Corpus. In this fray John Formby, one of

¹ J. J. Bond, *Handy Book of Dates*, 4th ed., 1889, p. 176.

² Oldham's coat of arms was in the window of the old Library of Brasenose whence Churton infers that he presented books to the College.

³ 'What, my lord' (to Foxe), 'shall we build houses and provide liuelodes for companie of bussing moonkes, whose end and fall we our selves may live to see?' Holinshed's *Chronicle* (ed. 1808), III. 617.

the original Fellows of Brasenose, was mixed up. Formby was not improbably a conservative cleric, or 'Trojan'. Though he had not himself committed violence, he had apparently encouraged it, for he was bound over, together with John Legh, also a Fellow of Brasenose, each in £20, to pay the bill for curing Est's wounds. Formby further undertook to abide by the award of the commissary, Laurence Stubbes,¹ and John Claymond, President of Magdalen,² as to the amount of damages to be paid to Est in compensation. The actual inflictors of Est's injuries were, on his recovery, released on recognizances, and paid a fine to the University, while Formby was relieved from further proceedings against him for threatening language to two men named Cooke and Vertue.

Before the lead had been laid upon the roof of the Tower which occupied the site of Brasenose Hall and probably marked the completion of the College buildings, the Founder, Bishop William Smyth, died at his palace of Buckden³ on January 2, 151 $\frac{3}{4}$. His will is printed at length in Churton, Appendix XVI. It confirmed to the College his gifts of Basset's Fee and of lands and tenements bought of Thomas Manby of Stow Park, Lincolnshire. Of Basset's Fee, as is elsewhere shown, the College had already entered into possession; but of the other lands and tenements mentioned, as Churton remarks,⁴ no other notice occurs. Their value is stated in the will to have been £5 13s. 4d. Either because he considered the College likely to be sufficiently endowed by Sutton, though his will expresses his own inten-

¹ Laurence Stubbes (Stubbs, Stubbys), Proctor, 1504; D.D. 1514; Vice-Chancellor, 1514, 1516; President of Magdalen, 1525-7. Foster, *Alumni Oxonienses*.

² John Claymond (Claymonde), President of Magdalen, 1507-17; President of Corpus, 1517-37; died 1537. A benefactor to Brasenose College; see Monograph IV, 12.

³ It is said by Browne Willis that Bishop Smyth died at the Episcopal Palace at Woburn, in Buckinghamshire. *Survey of Cathedrals* (1730), p. 62. The circumstances of his death, however, make it far more probable that Churton, whom I have followed, is correct. He is known to have been at Buckden, in Huntingdonshire, on December 23. It is highly improbable that at his age he would set out from Huntingdonshire to Buckinghamshire on horseback on Christmas Eve, and after Christmas but a few days elapsed before his death.

⁴ *Lives*, p. 513, n. d.

tion of adding to his gifts, or because, with the sense of impending death, concern for the safety of his soul obscured his interest in learning, he saddled these lands with a charge which almost absorbed the full revenues derived from them. Their annual value, according to his will, was £13. The annual charges laid upon them by his will were as follows:—

	£	s.	d.
To a chantry priest in Lincoln Cathedral	6	13	4
Choirmaster	1	0	0
Choristers		16	4
Vicar choral		6	8
Obit	3	6	8
	<hr/>		
	£12	3	0

This left a margin of 17s. to the College. The College perhaps felt that it had more put upon it than it could bear, and the renunciation of Bishop Smyth's executors left no one particularly interested to enforce the provisions of his will. At any rate, the earliest entry I have come across of any payment to this chantry is in the Roll for 1543-4:¹

'Et solutum pro Annuali redditu ecclesie beate Marie Lincoln pro quibusdam diuinis officiis celebrando pro xxxvj^o anno Regis predicti
xiiij^{li} vj^s viij^d.'

The same sum appears in the *Valor* of 1547. But in the *Valor*, it will be noted, the revenues from Basset's fee are returned as no more than £5 8s. 4½d. At that time, assuming the College to have been in possession of the lands unnamed mentioned in the will as bought from Thomas Manby of Stow Park, there was a deficit of £1 1s. 4½d., the total revenues amounting to £11 1s. 8½d., and the charges to £12 3s. It is, therefore, the more unaccountable that the College should return, alike in the Roll for 1543-4, in that for 1545-6, and in the *Valor* of 1547, £13 6s. 8d. as the yearly expenditure upon Bishop Smyth's chantry.

An explanation of the lands unnamed and of the charges upon them may perhaps be sought in the history of the benefaction of Archdeacon William Smyth. It is shown else-

¹ B. R., vol. H. f. 8.

where¹ that, though the Bishop died in January, 1515, the College received no income from the property before 1543-4, and that it appears to have been charged in favour of some of the Bishop's relations. We know that it was conveyed to the Archdeacon by John Newdigate, serjeant-at-law, and Am- phillis his wife, but it is, at least, not improbable that it was a gift from his uncle, the Bishop, perhaps upon trust at some future time to convey it to the College. Why the Archdeacon's deed of release to the College was not until October 12, 1524, and why the College expended nothing on the chantry for nineteen years afterwards, unless it were on the plea of 'res angusta', must remain mysteries. But we have distinct evidence that some, at least, of the lands mentioned in the will as bought by the Bishop from Thomas Manby formed part of the Archdeacon's gift.

The quarrel between Henry VIII and the Papacy had in 1532 reached the stage at which a prohibition was laid by statute upon the payment to Rome of 'Annates', including the First Fruits of episcopal sees.² In the session of Parliament which opened in November, 1534, the complement of this measure was passed diverting these payments to the Crown.³ By this Act the First Fruits were declared to be the clear revenue and profits for one entire year, and the Tenth the Tenth Part of such clear annual revenue. They were to be taken of all 'Archbishoprics, Bishoprics, Abbeys, Monasteries, Priories, Colleges, Hospitals, Archdeaconries, Deaneries, Provostships, Prebends, Parsonages, Vicarages, Chantries, Free Chapels and every other dignity, benefice, office or promotion spiritual'.

The last general valuation had been that of Edward I under the sanction of Pope Nicholas IV. A new survey was now necessary. It was, accordingly, ordered by the Act that com-

¹ p. 136.

² 23 Henry VIII. c. 20 (1532). 'An Acte concernynge restraynt of payment of Annates to the See of Rome.'

³ 26 Henry VIII. c. 3 (1534). 'An Acte concerninge the paiment of Firste Fruits of all dignities, benefices, and promocyons spirituall, and also concerninge one annuell penycon of the tenthe parte of all the possessions of the Church, spirituall and temporall, graunted to the Kinges Highnes and his heires.'

missions for that purpose should go through England and Wales and return the results of their inquiries. The *Valor Ecclesiasticus* of 1535 is the return into the Exchequer made by these commissioners.

Conformably to these statutory requirements Brasenose gave in its returns.¹ It is headed 'Extenta omnium Reddituum Maneriorum Terrarum et aliarum Possessionum tam Temporalium quam Spiritualium pertinentium ad Aulam Regiam et Collegium de Brasennose in Oxonia in Comitatu eodem et Diocesi Lincolniensi'. While, in general, the Return follows the Bursars' Rolls, there are a few points of interest to be noted. Like the *Valor* of 1547, it makes no entry of arrears nor 'decays' on the College estates. But the Return differs from the Rolls in that, after the custom of the religious houses, it assigns, in one case at least, a particular manor for the discharge of certain fixed charges. The lands and tenements in 'Croprydy', for it is not here described as a manor, possibly to avoid inquiry into manorial casualties, are returned as yielding £13 14s. 4d. yearly. This is followed by the words:

De quibus

Resoluciones Perpetue.

Resolutum est in perpetua elemosina tribus capellanis Magistri Ricardi Sutton alterius fundatoris nostri viz.

Mr Thome Typpyng	iiij ^{li}	vi ^s	viiij ^d
Mr Thome Hawerden	iiij ^{li}	vi ^s	viiij ^d
Et domino Thome Alen	iiij ^{li}	vi ^s	viiij ^d

There are other payments, among them being one of 13s. 4d. to David Jenkynson as rent-collector.²

The estates of which accounts are rendered number twenty-one in all, viz.: 'Bassett's Fee,' 'Coldenorton,' 'Barford,' 'Garsyngton & Cowley,' 'Cudlyngton,' 'Mylton,' 'Forstyll,'³

¹ Printed in the *Valor Ecclesiasticus* (6 vols., 1814), vol. ii, pp. 271-3.

² 'Resolutum etiam receptori predictorum reddituum viz. David Jenkynson—xiiij^s iiiij^d.' This is not a 'rent resolute' according to Coke, but is incorrectly used here to indicate fixed payment. For David Jenkynson see pp. 101-9. He appears elsewhere in this *Valor* as collector of the rents of the Manor of 'Jenyngs in Yaldyng and Wesmlyng', Kent, and of £3, being rent of the 'Redde Lyon' in 'Cheping-wicome', a total of £7 4s. 2½d., for which he is paid 13s. 4d. (a mark).

³ Forest Hill. See Monograph VI, p. 19.

'Stanlake,' 'Merston,' 'Burforde,' 'Croprydye,' 'Northokyn-ton,' 'Strond¹,' 'Chepynfaryngton,' 'Boro Somerbye and Pickwell,' 'Yaldyng,' 'Chepingwecome,' 'Kyngs Hulme,' 'Glo-cestre,' 'Chester Lancaster,' and 'Bredon.' The net sum total is returned at £111 os. 3½*d.*, and the tithe payable at £11 2*s.* 0½*d.* After the returns of the estates, the revenues derived from them and the necessary outgoings, there follow:—

'Nomina principalis et Sociorum hujus Collegii cum Indotacionibus et Emolumentis Principali et Sociis Collegii annuatim et imperpetuum per statuta Collegii assignata.'²

Magister Principalis pro communibus	iiij ^{li}	} viij ^{li}
Pro stipendio ejusdam Principalis annuatim	v ^{li}	
Johannes Leche ³ pro communibus suis	iiij ^{li}	} vij ^{li}
Pro stipendio ejusdem Johannis	xxxiijs ^s iiij ^d	
Et pro officio vice-principalis exercendo	xxvj ^s viij ^d	
Robertus More ³ pro communibus suis	iiij ^{li}	
Georgius Bruche pro communibus suis	iiij ^{li}	
Thomas Typpying pro communibus suis	iiij ^{li}	
Thomas Hawerden pro communibus suis	iiij ^{li}	
Robertus Hulme ⁴ pro communibus suis	iiij ^{li}	
Matheus Smythe pro communibus suis	iiij ^{li}	
Hugo Charnoke pro communibus suis	iiij ^{li}	
Thomas Syblyshe pro communibus suis	iiij ^{li}	
Summa Totalis omnium profectuum sociorum annuatim	xxxvij ^{li}	

Only three outgoings 'in feodis et elemosinis' are appended: the first, the fee of the Lecturer in the College Hall, £4; the second, the fees of the receivers-general of the College ('generalium receptorum'), 26*s.* 8*d.*; the third, the fees of the agents of the bishop ('pro procuracionibus episcopi'), 22*s.* 2½*d.* There then follows a statement of necessary expenses, pre-faced by this prayer:

'We the saide Principal ande Scolers moste humble beseche the Kyngs Highnes and his Honorable Counsell marciffully and gratiowselye to allowe the resonable petycions⁵ hereafter

¹ The 'Whyte Hert', here returned only as 'Hospitium Beate Marie in Strond', doubtless a clerk's abbreviation, 'in parochia' being omitted.

² *Sic*, apparently by mistake for 'assignatis'.

³ Returned under 'Chepingwecome' as the chaplains of John Cokkes at 40*s.* each.

⁴ Or Hulmes, as returned under 'Chepynfaryngton' being Chaplain of Elizabeth Morton, an obvious blunder for Morley, at a salary of 40*s.*

⁵ A mistake of the transcriber for 'pencyons'.

folowyng which ar perpetuall annuall chargis off as moche necessite to be yerely susteynyd as ar the fees of baylyffs auditors and recevers.' The items are :

	£	s.	d.
The commons of the Bible-Reader	2	3	4
The stipend and commons of the Steward	4	3	4
„ „ „ cook	4	3	4
„ „ „ barber and porter	4	10	0
Chapel expenses	3	0	0
Expense of keep of horses and groom	5	0	0
Average cost of repairs of buildings	7	0	0
Expenses of rent receivers	5	0	0
Travelling expenses on business of College	3	6	8
Entertainment of guests and strangers	4	13	4
	£43	0	0

The above list of nine Fellows is the earliest extant. From the mention of 'dominus Thomas Alen' as the junior chaplain of Sutton, to whom a chaplain's stipend had been paid, and the absence of his name from this list, it is to be inferred that he had either resigned his Fellowship or was dead at the time the list was made out. If so, there were, perhaps, normally ten Fellows.

The form of the return was as prescribed by the Act, which in the ninth section specified the deductions to be allowed by the commissioners. These were 'the rentes resolute to the chief Lordes and all other annuell and perpetuall rentes and charges whiche any spirituall person or persones ben bounden yerly to paie to any person or persons to ther heires or successours for ever, or to gyve yerely yn almes by reason of any foundacyon or ordynaunce, and all fees for Stewardes Receyours Baylyffes and Auditours and Synodes and proxis'. In accordance with this, the costs of the Anniversaries of the Founders, as of the episcopal visitations, are duly set down.

Wood tells us that the inquiry, which was conducted by a body of twenty-two commissioners, headed by William Tresham, the Vice-Chancellor, 'did strike such a terror into the minds of students that they expecting nothing but ruin and a total subversion, made shift, what they could, for them-

selves, and what moneys could be had from their lands by leases, renewings, &c.'

In the session of Parliament of 1545 an 'Act for dissolution of Colleges'¹ was passed, which placed all Colleges at the disposal of the king. It was not, indeed, aimed at the Colleges of Oxford and Cambridge,² but, *inter alia*, against Chantries, which frequently went by that name. Lay patrons had, in imitation of the king's proceedings against the monasteries, in many places seized the chantry lands and expelled the chantry priests, while in other places clandestine sales had been made. The Act, accordingly, gave to the king all such as had been dissolved by expulsion, bargain, or conveyance, within ten years. The king was at liberty to seize these institutions by commissioners without the formality of a jury of inquest, and instructions for the visitation of Chantries were promptly issued.

As the Act technically applied to Colleges, those of the Universities were ordered to furnish statements of their revenues and expenditure. That of Brasenose has been transcribed from the MS. in the Public Record Office, has frequently been referred to in these pages under the name of the *Valor* of 1547, and will be found as an appendix to this monograph. Another appendix will compare that *Valor* as prepared for the royal commissioners with the Bursars' Roll for 1545-6, on which the *Valor* founds. The number of the members of the College as stated by the *Valor* is the Principal and fourteen Fellows, besides '1x pore Scholers and other',³ whose rooms and allowances are estimated as

¹ 37 Henry VIII, c. 4.

² Cf. Holinshed, *Chronicles* (ed. 1807), i. 256. 'And thus much in generall of our noble uniuersities, whose lands some greedy gripers doo gape wide for . . . when such a motion was made by some unto King Henrie the Eight, he could answer them in this manner. Ah sirha, I perceiue the abbeie lands have fleshed you and set your teeth on edge to ask also those Colleges . . . I tell you, sirs, I judge no land in England better bestowed than that which is giuen to our Uninersities, for by their maintenance our realme shall be well gouerned when we be dead and rotten. . . . I loue not learning so ill that I will impaire the reuenues of anie one house by a penie, whereby it may be vpholden.' Holinshed represents the Protector Somerset as in the next reign being the eloquent opponent of attacks upon the Colleges and Universities.

³ Conformably to the Charter, see p. 12 *supra*.

worth 20s. to each yearly. As these do not appear to have had commons, they apparently represent a grade intermediate between the scholars and commoners of to-day. The College further returns twenty-nine 'studentes', whom I interpret to represent the Governing Body and the Scholars on the Foundation.

The College returns its revenues as £198 2s. 9 $\frac{3}{4}$ d., which it notes to be £84 13s. 7 $\frac{3}{4}$ d. in excess of the '*Valor Ecclesiasticus* of 1535'. But the summary of its balance sheet is, and is intended to be, a pathetic appeal. Nothing remains, it laments, because the expenditure exceeds the income by £12 13s. 9d. per annum. For relief from financial disaster no help is to be expected unless by economy of expenditure on food during the statutory absences of Fellows, or from casual fines on leases or oftentimes from the gifts of good men.

While these confiscations were in progress Henry VIII died. Their effect was felt by the College. For ten years no benefactor came forward.¹ In the first Parliament of Edward VI the powers, which had been limited to Henry's life, were conferred on his son. An Act was passed² 'whereby certaine Chauntries Colleges Free Chapelles and the possessions of the same be given to the Kinges Majeste'. By the fourth section lands given for the maintenance of perpetual obits were vested in the king, and by the fifth, where part of the profits of lands had been given for a perpetual obit, the king should have an annual rent-charge to the amount. A sixth section provided that all sums of money payable by corporations for priests, obits, &c., should vest in the king as rent-charges. Within these sections the chantry of Bishop Smyth in Lincoln Cathedral undoubtedly fell.

The College bent to the storm, and £13 6s. 8d. a year were diverted to the revenues of the Crown. But there seems to have been a considerable delay before this was effected. At any rate, the earliest document in the possession of the College showing a receipt by the Crown is dated January 31, 5 Edward VI (1551).³ It is to be noted that the bequest may

¹ See Monograph VI, pp. 25, 26.

² 1 Edward VI, c. 14 (1547).

³ *Muniments*, Sutton, p. 58.

have long escaped detection, there being no chantry chapel to indicate its existence. However this may be, we find¹ a 'bill' dated January 31, 5 Edward VI (1551), witnessing 'that Richard Harnes of Mablethorpe in the countie of Lincoln yeoman deputie of Roger Graves gentleman recyver' for the king of all dissolved chantries within the duchy of Lancaster, acknowledges the receipt of £6 13s. 4d. due at the previous Michaelmas, being one whole year's rent of £13 6s. 8d. 'goyng out of the landes of the College of the Brasyn Nose of Oxford lying within Wynthorpe Skegnes and Sutton to one of the late chantries within the mynster of Lincoln.' From this document it would seem that the lands given by Archdeacon William Smyth had been charged by him or by the Bishop. It would also seem that the other moiety of the charge was upon other lands unnamed.

In 1585, when Queen Elizabeth was on the throne and learning again in favour, the College thought the time propitious to an endeavour to retrieve its loss. At this date the Principal was Richard Harrys. A petition was filed in the chancery of the duchy of Lancaster of which the gist is that the lands of the College had not been charged towards Bishop Smyth's chantry. The College sets out that John Newdigate, serjeant-at-law, and Amphyllis his wife had by a fine on January 29, 1517, 'lawfully assured the said premises,' viz. 'certayne landes and tenements in Sutton in the marshe, Skegness, Wynthorpe and Burghe in the marshe in the parties of Lyndsey in the countye of Lyncolne', to William Smythe,² archdeacon of Lincoln in fee; and that on September 11, 1534, William Smythe let these lands and tenements to Brasenose College for seven years at £20 a year. They comprised the manor of Sutton in le marshe and Wynthorpe, six messuages, 40 acres of land, 100 acres of meadow, 140 acres of pasture and 10s. rent, and on October 11, 1534,³

¹ Sutton, 58.

² *Sic.*

³ According to Churton, *Lives*, p. 382, the Archdeacon died in 1528. If that be correct, the date given here must be wrong. Among the muniments of the College is a deed of release by the archdeacon to the College of the estates in question, dated October 12, 16 Henry VIII (1524), from which it would appear that the dates of the petition are not to be relied upon.

William Smythe executed a deed of release in favour of the College. Since the dissolution of Chantries the tenants of the College had been wrongly charged with the yearly payment of twelve marks as belonging to Bishop Smyth's chantry and other superstitious uses, which payment 'contynued without the privities of your said Orators, your Orators being absent and remaynyng above one hundereth myles from the said manores', &c. The argument continues that the College is not chargeable on the ground that, at the time of Bishop Smyth's death, Serjeant Newdegate and his wife were seised of the estates, so that they could not be charged by the Bishop. The petition of the College, therefore, asks the reimbursement to it of 'about 800 marks' which have been illegally taken from its tenants. It appears that the other half was charged upon other land in the neighbourhood, for a document of the Duchy in possession of the College,¹ dated 1505, claims £16 13s. 4d. on the part of 'Vyncent Skynner Esquier receiver of rents of Bollingbroke in the countie of Lincoln'. Since £13 6s. 8d. is still annually paid by the College out of this estate, it may be taken that the petition failed.

The only other part of Bishop Smyth's will that concerns the College is his bequest of the books, chalices and vestments of his domestic chapel. Churton has shown² that the inventory of the Chapel furniture elsewhere printed, belonging to about the year 1520, varies greatly from the schedule of the Bishop's will cataloguing his bequest, and that no record of the receipt of this benefaction remains. On the contrary, it was one of the articles against Wolsey that he 'had the more part of the goods of Dr. Smyth, bishop of Lincoln' and of other bishops whom he succeeded, 'contrary to their wills and to law and justice.'³

Bishop Smyth's liberality had diminished his resources, but he died leaving a substantial fortune. 'Bawdwyn Smythe,' citizen and haberdasher of London, who some years after the Bishop's death,⁴ petitioned the Star Chamber as his admini-

¹ Sutton, 59.

² *Lives*, p. 347.

³ *Ibid.*, p. 349. *L. & P. Henry VIII*, iv. 6075 (1529).

⁴ Apparently after 1541, if Churton, *Lives*, p. 354, is correct in assigning that

strator on the renunciation of his executors, stated that the Bishop had left in 'goodes cattalles money ande plate to the value of two thousand markes sterlinge and above', i. e. £1,333 6s. 8d. In consequence, as he alleged, of the retention by Gilbert Smyth, Archdeacon of Northampton, of the Bishop's goods to the value of £500, the legacies to his poor kinsfolk remained unpaid. He petitioned, therefore, for process to issue against the Archdeacon.¹

In 1517 Bishop Foxe startled the learned world by his statutes for his new College. The controversy between the old learning and the new raged furiously, and proceeded from words to blows. Two years later, a preacher from the University pulpit denounced Greek and the study of classical authors introduced by Foxe. Formal logic and sophistical theology, said this disciple of Smyth and Sutton, were the only commendable studies. At such a moment it was that Sutton drew up the 'Composition' with his College in which his hope by its aid to secure his fortunes in the next world, contrasts strangely with Bishop Foxe's paramount concern for learning. The 'Composition' is an indenture dated July 18, 11 Henry VIII (1519) to which Sutton and the College are the parties. The Principal and Scholars of Brasenose are by it bound to pray before and after dinner for the souls of the two Founders, their fathers, mothers, brothers, and sisters, and other souls to be named. In addition, a pater noster, an Ave Maria, and a creed are to be said before dinner, and after dinner, 'at their leyser,' a 'De Profundis' for the souls of Edward IV, his Queen Elizabeth, his sister Elizabeth de la Pole, duchess of Suffolk, Anthony Wydeville, earl Rivers,² and Queen Elizabeth's son, Thomas Grey, marquis of Dorset,³ Nicholas Talbot, 'and all those sowles that God and the said Richard would have prayed for.' This enumeration of the leaders of the Yorkist party bears plain witness to Sutton's political sympathies, and helps us to understand the long delay

date to the renunciation of his executorship by Gilbert Smyth, archdeacon of Northampton, his nephew.

¹ The issue of this suit is unknown. The College is not mentioned in it.

² Brother of Queen Elizabeth.

³ Step-son of Edward IV.

before, at the end of his life, he was advanced to knighthood. These prayers were to be repeated 'at every solemne sermone that any of the felowes or scholars of Brasynnose shall say or make'. The Founders' anniversaries or obits were to be kept with a solemn 'dirige', and every priest in the College was on that day to say Mass for the same persons' souls.¹ On these occasions the Principal and Fellows shall have 13s. 4d. 'to increase theire fare that daye', and twenty-five 'honest prests of the same College or of other' are to have, in addition 5d. each. Every Scholar on admission to the College is to be sworn to observe the terms of this 'Composition' 'and all the statutes and rules made or to be made by the sayd Richard'. Three priests are to be paid each five marks² (£3 6s. 8d.) to pray for the soul of Sutton, his relations, and others to be named in a schedule. These priests are to be elected Fellows, and to have, in addition to this stipend, the commons and other allowances enjoyed by the Fellows. Vacancies are only to be filled up by the College if, after six weeks' notice delivered at Sutton and the lapse of another month, he or his heirs neglect to do so. These three priests are not to be absent more than seven weeks in the whole year, a month short of the ordinary Fellows' leave. A longer absence or a benefice or annuity of the value of £6 13s. 4d. is to vacate their Fellowships. Breaches of these covenants by the College are to involve each a penalty of 40s., with power to Sutton and his heirs to distrain therefor. Every Scholar of the College is to have chamber, cook, manciple, barber, 'launderer,' and 'readinge' free.

It is remarkable that, at the time of Bishop Smyth's death, Sutton does not appear to have given a single estate to the College. He had been purchasing estates for some years. Churton mentions among these that of Burgh, Borowe or Erdborowe in the parish of Somerby, Leicestershire, which

¹ The language here seems to show that this part of the Composition was drafted before the Bishop's death on January 2, 1514: 'att suche tyme of the yeare as hit shall please God to call the sayd Bishoppe to his mercye.'

² The first payment is to be found in the Roll for 1520-1, vol. A. f. 21: 'Et solutum Capellanis magistri Sutton . . . x li.'

he had bought in 1491,¹ the estates in Middlesex, elsewhere mentioned, that of Cropredy, of which he purchased the reversion in 1512, and that of North Okenden or Ockington, in Essex, which he purchased in 1513. There is plenty of room for speculation as to the reasons why he withheld his generosity after the College was founded and already at work. His exclusion from any part in the framing of the College statutes may have been due to Bishop Smyth's resentment on this account, while, on the other hand, Sutton may have disapproved of the Bishop's ban against the Religious Orders, to whom he was undoubtedly attached. Not until four years and a half had passed did Sutton, on the same day on which he signed his Composition, convey, by lease and release, these estates to the College, and though in 1511, by deed enrolled in Chancery, he assigned the lease of Little University Hall and Old Brasenose Hall to trustees to the use of his will, it was not until 1523 that he conveyed to the College the fee simple outright. He died soon after Michaelmas, 1524, his will being proved on the following November 7. It is a symptom of his convictions on the current religious controversies that he left three bequests to three nunneries and endowed a chantry at Macclesfield.

Scanty enough is the light shed upon current events by the documents that have been preserved in the archives of the College. The year 1522-3 is marked by an entry in the Bursars' Roll not altogether free from difficulty. It runs: 'Et solutum vicecomiti Oxonie pro decimis Regi consessis² de Rectoriis de Whethamsted et Stepul Aston vt apparet xlix^s. v^d.' This is an echo of the clash of warlike preparation at this time resounding through England. In conjunction with the Emperor an invasion of France was on foot. The House of Commons in 1523 voted a graduated tax on real and personal property, from five per cent. upwards, payable in four years. The Clergy in Convocation granted no less than a fifty per cent. income tax, to be paid by instalments in five years. Now in the general survey made in 1535, prior to the dissolution of the Religious Houses, the annual value of the

¹ *Lives*, p. 429.

² *Sic*.

tithes of Wheathamstead alone was set down at £4 4s. 2 $\frac{3}{4}$ d. per annum¹. The fifth of one-half of this would amount to 8s. 5d., and there is no reason to suppose that any material change had taken place in the value since 1523. The tithes of Steeple Aston are set down at £1 12s. 3 $\frac{1}{4}$ d.,² and on the same reckoning the grant would amount to 3s. 3d. or less, a total of 11s. 8d. But since the total tithe of the two amounted to £2 18s. it would seem that the sum paid by the College represented the whole. However this may be, a reference to the Subsidy Act of 1523 (14 & 15 Henry VIII, c. 16) shows that the College was under no compulsion of Parliament or Convocation to pay anything at all. By § xxi of this Act it is provided 'that this Act nor any thyng in the same comprised nor any graunt made or to be made by the Clergy in eyther of their Convocacions nowe assembled, extende ne be in any maner hurtfull or prejudiciall to any Scoler or Scolers Studentes or Lerner at the tyme of the said assessyng havynge their abydyng oonly for studie or lernyng in any of the Universities of Oxforde and Cambridge . . . or for their persons Salary Wages Exhibicion Apparell of their bodies or bokes, neyther to or for any Manours Lordshippes Landes Tenementes Rentes Annuyties or such other like possessions amortysed appropriated or in anywise belongyng or appteignyng to any College Hospitall Hall or other House in any of the said Universities . . . but that they and every of them frome the said graunt and payement of the said Subsidies and every of them and every parte thereof be utterly acquyted and discharged by auctorite of this present parliament, any thyng in this present acte or other thyng to the contrary made or had notwithstanding.'

Parliament had met in April, 1523, and Convocation in June, after an interval of eight years. But the king had not waited to raise money legally by grants. In 1522 he had appointed commissioners under his sign manual to make valuations of all rents, revenues, goods, &c., spiritual and temporal. By a clause in their commissions a special reserva-

¹ 'Liber Regis,' p. 516.

² Ibid., p. 806.

tion was made in the case of the Universities. 'As the wardens, governors and fellows of the Colleges at Oxford and Cambridge are bound by statutes and oaths not to declare what is left them for casualties of fire and maintenance of pleas, the commissioners shall not inquire of their substance, but leave that to the lord Legate.'¹ Wolsey was a warm friend of learning. Under the year 1522 Wood records, 'This University with the Colleges therein, being required to pay, made their requests to the Cardinal to be excused, forasmuch as the Colleges and those belonging thereto were exempted from paying moneys towards the maintenance of a war. Upon this, the Cardinal urging their exemption, they were for that time excused.'² The assessments in the State Papers³ are, nevertheless, treated by Mr. Brewer⁴ as having been actually exacted. I can find no trace in the Bursars' Rolls, other than the entry mentioned, showing that his assumption is correct, and I incline, therefore, to the opinion that Anthony Wood's story is true. It is to be noticed, however, that Richard Sutton 'of Sion', to distinguish him from his namesake, paid the large sum of £100, and it is possible that part of this was on account of Brasenose College. In any case, it may be that his knighthood, which was conferred upon him between May, 1522 and March, 1524, was the reward of his munificence.

The puzzle, however, is not yet solved as to the grant of 49s. 5d. out of the tithes of the two Rectories of Whethamsted and Stepul Aston.⁵ Why do these, of all the benefices appropriated by the College, stand by themselves? I can only surmise that the collectors had in these two instances interpreted the words of the Act 'Rentes Annuyties or such

¹ *L. & P. Henry VIII*, iii. 2484.

² A. Wood, *Hist. Univ. Oxford* (1796), ii. 22. Cf. *L. & P. Henry VIII*, iii. 2631.

³ *Letters and Papers Henry VIII*, iii. 2484, where are assessments for Magdalen and New Colleges each at £330 6s. 8d.; All Souls at £200; Merton and Corpus each at £133 6s. 8d.; Lincoln, £100; Oriel, £100; University, £50; Exeter and Balliol at £40. But the list is only a fragment and Brasenose is not in it.

⁴ *Reign of Henry VIII* (1884), i. 494.

⁵ As the Rectory of Wheathamsted did not remain part of the possessions of the College and there is no trace of its having been alienated, I infer that it was appropriated by permission of the Bishop during the then incumbent's life.

other like possessions amortysed appropriated or in anywise belongyng or app(er)teignyng to any College' as not including Tithes; and that the Rector's tithes in these two parishes were farmed by lessees. By § xxiii of the Subsidy Act of 1523, in the event of such farmers or lessees being charged with the subsidy, they were authorized to indemnify themselves by deducting the amount paid by them from their next payment of rent. It is conceivable that the farmers of these two Rectories having paid the assessment to the sheriff of Oxford, or having undertaken to do so, the College felt bound to discharge an obligation for which it was not otherwise liable.

Although the clergy and scholars in the University were exempt from the Subsidy Act, their lay dependents did not escape. By the Act, which was a graduated property tax, twelve pence in the pound was charged upon personalty up to twenty pounds, sixpence in the pound between twenty pounds and forty shillings, 'and of every maner (of) person borne under the kynges obeysaunce beyng of thage of xvi yerres or above and beyng of the value of xl^s in goodes or takyng any dayely wekely or yerely wages or other profettes for wages to the yerly value of xx^s or above and havynge none other substaunce . . . iiij^d yerely during the said twoo yerres.'¹ Within the meshes of this wide net appear in the lists of the Subsidy for the town of Oxford two servants of the College, 'John Walker Cooke of Brasynnose at xx^s . . . iiij^d' and 'John vndercooke of Brasynnose at xx^s . . . iiij^d.' These contrast with their brethren of New College and Magdalen, who were assessed at £4, and were presumably the heads of their profession.²

When in 1545 Henry VIII again resorted to a forced loan, the College contributed £8. The form of the entry in the Rolls³ is not without interest. 'Et eciam solutum domino Regi pro benevolencia per magistrum Principalem et socios concessa—viij^{li}.' The Bursars followed the example of the king in

¹ 14 & 15 Hen. VIII, c. 16, § 2 ('De subsidio Regi concessio').

² *Oxford City Documents* (O. H. S., 1891), p. 59.

³ B. R., vol. H. f. 18.

not disguising the extortion, as Wolsey had endeavoured to do in 1525, by the honorific title of 'Amicable Loan' or 'Loan'. They called it outright a 'Benevolence', knowing very well, as all the world did, that Benevolences were illegal by a statute of Richard III.¹

The energetic first Principal, Matthew Smyth, a careful husband of the College property and of brilliant success in the acquisition of endowments, appears to have been a man of business rather than an ecclesiastic. At any rate, he was 'of the willow and not of the oak'. When, on April 15, 1524, St. Frideswide's was suppressed, he is recorded as having been present,² a faint indication that he sympathized with the measure. When, on June 27, 1534, the University of Oxford passed a resolution in congregation repudiating the papal supremacy, the assent of Brasenose College went with it. Among the signatories in 1535 to the acknowledgement of the Royal supremacy were Matthew Smyth and eight Fellows of Brasenose. But there were signs that the traditions of orthodoxy lingered in the College. Sir Robert Constable was one of the leaders of the Pilgrimage of Grace in 1536. It was natural that a man whose clerical conservatism led him to risk his neck should send his son to Brasenose,³ the College favoured by the benefactions of his associate Husey. On June 9, 1534, a royal proclamation had ordered the Pope's name to be removed from all Service Books. Four and a half years later, on December 17, 1538, a graduate in law of Brasenose, named George Munson or Mounson, laid an information before Richard Smyth, commissary of the Chancellor, that Thomas Harden, a Fellow of Brasenose⁴ and presumably

¹ 1 Ric. III, c. 2 (1484) 'An Act to free the Subjects from Benevolences'. The smallness of the sum is significant of the narrow margin of the resources of the College, perhaps, also, of its indisposition to the king's enterprises abroad. The commissioners for the collection had been ordered, where the yearly value of lands and goods exceeded £20, to ask 12*d.* in the pound. Recalcitrants were to be cautiously dealt with. See the Instructions to the commissioners in *L. and P. Henry VIII*, XX. App. 4.

² Wood's *City of Oxford*, O. H. S., xvii. 179.

³ *L. & P. Henry VIII*, XII. i. 30; Principal Heberden's *Register*, p. 8.

⁴ *Ibid.*, p. 5. Wood incorrectly dates this incident 1535, *Annals*, II. 60 (ed. 1796).

Dean of the Chapel, had not, according to his duty ('*ex officio*'), deleted the name of the Pope '*e quodam manuali Collegii*'. The significance of the delation to Smyth is that the commissary was probably at that time already known for his leanings towards the new opinions which he subsequently embraced. 'Harden,' says Wood, 'appeared so foul by some rash expressions dropt from his mouth, that he was cited soon after to appear before the King's Council to answer for what he had said and done.'¹

A young Bachelor of Divinity of Brasenose named Elye,² according to Strype's *Memorials of Cranmer*, with an odious persistence, thrust his disputations upon Cranmer during his last moments.

On the whole, we may take it that Brasenose, like the greater part of the University, adhered to the conservative clericalism in the interests of which it had been founded. Two notable protagonists on the side of the Reformation, however, it did produce—the one John Foxe, the Martyrologist, the other Alexander Nowell, Dean of St. Paul's, and for a short time Principal, known to many generations of Englishmen as the author of the Church Catechism. Nowell was also a precursor, as an expert in angling, of Izaak Walton, and his portrait, as '*Piscator hominum*', still looks down upon the High Table.³

¹ The records of the Privy Council at this date have perished, so that nothing is known of the issue of the case.

² Probably William Elye, Fellow, though he does not appear to have taken his B.D. till 1557.

³ See Monograph VII, p. 11. For his discovery, by an accident, of the merits of bottled ale, see *Dict. Nat. Biog.*

BURSARS' ROLLS, compared.

	<i>M' mas</i> — <i>M' mas</i> 1515-16	<i>M' mas</i> — <i>M' mas</i> 1516-17	<i>M' mas</i> — <i>M' mas</i> 1517-18	<i>M' mas</i> — <i>M' mas</i> 1518-19	<i>M' mas</i> — <i>M' mas</i> 1519-20	<i>M' mas</i> — <i>M' mas</i> 1520-1
Outstanding Arrears	£ s. d. 44 7 10	£ s. d. 47 3 0	£ s. d. 48 12 8	£ s. d.	£ s. d.	£ s. d.
Arrears carried over	47 3 0	40 10 4	52 1 6			93 9 7
Receipts from Rents and Donations, &c. }	56 8 4 $\frac{1}{4}$	81 17 4 $\frac{1}{2}$ ¹	61 7 8 $\frac{1}{4}$			149 15 2
Taken out of chest (Plate Book) }			9 6 8		60 6 8	59 16 8
Payments and allow- ances }	53 18 9 $\frac{1}{4}$	53 11 6 $\frac{1}{4}$	48 8 11 $\frac{1}{2}$			183 13 0 $\frac{3}{4}$
Balance to credit	2 9 7	27 15 10 $\frac{1}{4}$	18 16 6 $\frac{3}{4}$			25 18 9 $\frac{1}{4}$
Put into chest		14 9 2 $\frac{1}{4}$	18 16 6 $\frac{3}{4}$			25 18 9 $\frac{1}{4}$
Money in chest				95 19 0		60 3 2 $\frac{1}{2}$
Money on Deposit				37 0 0		23 0 0

¹ This includes money (sum unknown) taken out of the chest. Since the sum of the receipts of the year 1515-16 = the sum of Payments, &c., and Balance to Credit, it follows that in 1515-16 no money was taken out of the chest.

	<i>M' mas—M' mas</i> 1521-2	<i>M' mas—M' mas</i> 1522-3	<i>M' mas—M' mas</i> 1523-4	<i>M' mas—M' mas</i> 1524-5	<i>M' mas—M' mas</i> 1525-6	<i>M' mas—M' mas</i> 1526-7
Outstanding Arrears	£ s. d. 93 9 7	£ s. d. 65 10 11½	£ s. d. 83 7 7	£ s. d. 82 13 6¾	£ s. d. 95 10 4¼	£ s. d. 93 15 0¼
Arrears carried over	65 10 11½	67 6 1½	84 8 7¾	90 0 10	84 10 4¼	95 8 1½
Receipts from Rents and Donations, &c. }	137 16 9¾	121 9 0¾	131 6 11½ ¹	127 9 7½ ²	149 11 8¼	135 13 0½
Taken out of chest (Plate Book) }	40 17 2	53 18 11	39 14 11	39 18 5½	32 13 4	51 2 3
Payments and allow- ances }	119 18 6¾	85 10 1¾	130 2 4¼	125 3 0¾	134 18 11	140 5 2
Balance to credit	58 15 5	35 18 11	39 18 5½	34 17 9	47 6 1¼	44 17 0½
Put into chest	58 15 5	35 18 11	39 18 5½	34 17 9	47 6 1¼	44 17 0½
Money in chest	54 18 11	40 1 7	40 5 1½	35 11 4¾	51 2 3¼ ⁵	44 17 0½
Money on Deposit	31 10 0½	23 0 0	Nil.	15 0 0	Nil.	15 0 0

¹ £29 15s. 11d. appears to be the sum of the donations 'et de forensic', leaving rents as £101 11s. 0½d.

² The donations ('pecunie forensice') amount to £25 6s. 3d.

³ There appears to have been 6s. 11d. more in the chest than is accounted for. This may be accounted for by the record of the plate chest in 1524, 'In pecuniis bonis et malis et galie Alpenys' 8s. 10¾d., as a separate item, of which 6s. 11d. may have been found to be good.

⁴ The Plate Book adds to its record of £35 11s. 4d. 'Item in pecuniis malis xiii^d. Item in manibus executorum Thome Blount—xviii^d. In manibus Johis. Hussy—'

⁵ 'Item in pecuniis malis xiii^d' (Plate Book, f. 6).

	<i>M' mas—M' mas</i> 1527-8	<i>M' mas—M' mas</i> 1528-9	<i>M' mas—M' mas</i> 1529-30	<i>M' mas—M' mas</i> 1530-1	<i>M' mas—M' mas</i> 1531-2	<i>M' mas—M' mas</i> 1532-3
Outstanding Arrears	£ s. d. 95 8 1½	£ s. d. 62 8 2½	£ s. d. 72 14 4¾	£ s. d. 76 12 9	£ s. d. 78 5 6½	£ s. d. 78 4 0½
Arrears carried over	97 15 9¹	74 3 4¼	78 18 9¼	81 3 6¾	78 4 0½	89 0 11¾
Receipts from Rents and Donations, &c. }	156 5 3¼	136 3 5½	140 9 3½	144 17 3½	155 1 5½	153 2 8½
Taken out of chest (Plate Book) }	44 0 0	36 0 0	34 16 10	26 15 8	31 10 3	22 3 6
Payments and allow- ances }	163 10 10	124 11 4¼	144 15 7¾	135 11 11	164 9 8½	142 8 10¾
Balance to credit	36 14 5¼	35 16 11	24 6 0½	31 10 2¾	22 3 6	22 0 4½
Put into chest	36 14 5¼	35 16 11	24 6 0½	31 10 2¾	22 3 6	22 0 4½
Money in chest Money on Deposit	37 11 5½ Nil.	37 8 4¾ Nil.	26 16 0½ Nil.	31 10 7½ Nil.	22 3 11½ Nil.	22 0 10 Nil.

¹ After deduction of the allowances.

² Taken from chest.

³ Left at £74 3s. 4¼d.; see D. 2. i.

	<i>M' mas—M' mas</i> 1543-4	<i>M' mas—M' mas</i> 1544-5	<i>M' mas—M' mas</i> 1545-6	<i>M' mas—M' mas</i> 1546-7
Outstanding arrears	£ s. d. 111 1 7½	£ s. d. 91 2 1	£ s. d. 108 2 7½	£ s. d. 101 7 7½
Arrears carried over	121 12 5¼	109 11 9¾	102 16 9¾	103 5 11
Receipts from Rents and Donations, &c. }	209 14 6½	210 9 3½	210 0 0¾	209 17 4
Taken out of chest (Plate Book) }	39 14 11½	26 0 0	2 0 0	29 10 0
Payments and allow- ances }	211 16 4	216 16 1¼	176 0 7¾	196 0 1½
Balance to credit	27 2 4¼	1 3 5½	33 19 5	41 8 11
Put into chest	27 2 4¼	1 3 5½	33 19 5	41 8 11
Money in chest Money on Deposit	27 2 4¼ Nil.	2 5 9¾ Nil.	41 11 3¾ Nil.	53 16 8

APPENDIX I

B.

B.N.C. BURSARS' ROLL, 1545-6

(M' mas 1545-M' mas 1546.)

[Visus Computi] Magistri Thome Aleyn et Magistri Rogeri Golbourn Bursariorum Aule Regie et Collegij de Brasynnose ibidem simul occupancium Officium receptorum omnium bonorum spiritualium et temporalium pertinencium dicto Collegio videlicet a festo Sancti Michaelis archangeli anno regni Regis Henrici Octaui tricesimo septimo vsque ad idem festum Sancti Michaelis anno eiusdem Regis tricesimo Octauo per vnum annum integrum.

[Receipts]

Onerantur Iidem Bursarij cum pecunijs per ipsos extractis de Cista Communi eiusdem Collegij	xls.
Summa	xls.

Onerantur eciam dicti Bursarij in arreragijs debitis dicto Collegio in festo Sancti Michaelis archangeli anno regni Regis Henrici Octaui tricesimo Octauo prout patet in pede Computi proxime precedentis videlicet de anno tricesimo septimo dicti Regis cvijli. ijs. vijd. ob.

Summa eiusdem	cvijli. ijs. vijd. ob.
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Summa Omnium arreragiorum predictorum et pecuniarum extractorum de Cista Communi	cxli. ijs. vijd. ob.
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Onerantur eciam dicti Bursarij pro redditu de Bassettes Fee pro vno anno integro finito in festo Sancti Michaelis archangeli anno tricesimo Octauo Regis Henrici Octaui vt particulariter per Rentale in pergamino apparet remanens ['remanenc''] in custodia Bursariorum vijli. viijs. iiijd. ob.

Iidem Bursarij onerantur pro terris dominicalibus nuper prioratus de Coldnorton necnon pro omnibus alijs terris et tenementis eidem modo pertinentibus vt eciam per Rentale remanens ['remanenc''] in Custodia Bursariorum apparet particulariter xxxvj^{li} vij^s ob. qua.

Et eciam onerantur dicti Bursarij pro terris et tenementis in Barford Olof vt similiter per Rentale apparet particulariter . . . xlijs

Onerantur eciam dicti Bursarij pro terris et tenementis in Chepyngfaryngdon vt eciam per Rentale apparet particulariter ciijs viij^d

Iidem Bursarij onerantur pro tenementis in Oxonia vt similiter per Rentale apparet particulariter xlvjs viij^d

Et eciam onerantur dicti Bursarij pro tenemento siue hospicio in Chepyngwycombe vt apparet per Rentale iiij^{li}

Onerantur eciam dicti Bursarij pro terris et tenementis in Milton et Shipton subtus Whichwod vt per Rentale apparet . vj^{li}

Iidem Bursarij Onerantur pro terris et tenementis in Borow vj^{li} xj^s iiij^d
iiij^{li} xv^s v^d ob. *v^s*
 Somerbye et Pyckewell in Comitatu Leycestr' vt per Rentale
 appare[t] particulariter x^{li} xj^s ix^d ob.

Et eciam dicti Bursarij Onerantur pro terris et tenementis in North Okynton in Comitatu Essex' vt per Rentale apparet particulariter iiij^{li} xiiij^s iiij^d

Onerantur dicti Bursarij pro quodam tenemento siue hospicio in parochia beate Marie de Strond iuxta London' vocato the whyte hert vt particulariter apparet c^s

Iidem Bursarij Onerantur pro Manerio de Cropredy cum pertinencijs vt eciam per Rentale apparet particulariter xiiij^{li} xiiij^s vj^d

Dicti Bursarij Onerantur pro Manerio de Genyns in Ealdyng et Westbramlyng cum pertinencijs in Comitatu Kanc' vt apparet per Rentale iiij^{li} iiij^s ij^d ob. qua.

Et eciam dicti Bursarij Onerantur pro terris et tenementis in Cudlyngton vt similiter apparet particulariter per Rentale xxxiiij^s viij^d

Iidem Bursarij Onerantur pro terris et tenementis in Garsyngton et Cowley in Comitatu Oxon' vt apparet per Rentale xlix^s iiij^d

Onerantur eciam dicti Bursarij pro terris et tenementis in Foresthyll vt similiter per Rentale apparet particulariter x^s

Et eciam Onerantur dicti Bursarij pro certis redditibus quietis de Gardianis ecclesie Omnium Sanctorum in Oxonia vt apparet per Rentale iiij^s

Onerantur dicti Bursarij pro terris et tenementis in Stanlake vt eciam per Rentale apparet particulariter iiij^{li} iiij^s iiij^d

Et similiter dicti Bursarij Onerantur cum pecunijs per ipsos receptis pro quodam annuali exeunti de certis terris et tenementis Johannis Port Militis nuper Iusticiarij domini Regis Henrici Octaui de Banco pro isto xxxvij^o anno dicti Regis . vij^{li}

Idem Bursarij Onerantur pro terris et tenementis in Bredon in Comitatu Wygorn' vt similiter per Rentale apparet particulariter xl^s

Et eciam dicti Bursarij Onerantur pro certis terris et tenementis in lvj^s viij^d xx^s xij^s
 Kemmerton in Westmoncote in Fydyngton in South-
 viij^s iiij^{li} x^s xv^s
 wyke in Longford et in Twygyworth Et pro quodam prato

vocato Swylllynges medow Et similiter in Kinges Home in
Comitatu Gloucestr' vt eciam per Rentale apparet par-
ticulariter xiiij^{li} ix^s viij^d

Iidem Bursarij Onerantur pro certis terris et tenementis in
Merston in Comitatu Oxon' vt eciam per Rentale apparet
particulariter cxj^s viij^d

Et eciam dicti Bursarij Onerantur pro terris et tenementis in
Ascote prope Whichwode vt similiter apparet per Rentale . . . xiiij^s iiij^d

Onerantur dicti Bursarij pro quodam tenemento in Burford
vt eciam per Rentale apparet xx^s

Iidem Bursarij Onerantur pro certis terris pratis pascuis et
pasturis in Grove in Comitatu Oxon' vt apparet per Rentale . . . cxx^s

Et eciam dicti Bursarij Onerantur pro Manerio de Bradford
cum pertinencijs in parochia de Lemster in Comitatu Herford'
vt per Rentale apparet ix^{li}

Onerantur dicti Bursarij pro Manerio de Warton in dicta
parochia de Lemster vt similiter per Rentale apparet . . . xiiij^s iiij^d

Iidem Bursarij Onerantur pro certis terris et tenementis in
Ivyngton in eadem parochia de Lemster vt apparet per Rentale . . . iiij^{li}

Dicti Bursarij Onerantur pro certis pascuis et Clausuris in
Shelleswell in Comitatu Oxon' vt per Rentale apparet iiij^{li}

Et eciam dicti Bursarij Onerantur pro certis terris et tene-
mentis in Whateley in dicto Comitatu Oxon' vt apparet per
Rentale xxxvj^s viij^d

Onerantur dicti Bursarij pro terris et tenementis in Cowley
et Yefteley in Comitatu Oxon' vt eciam apparet per Rentale . . . xxx^s

Iidem Bursarij Onerantur pro terris et tenementis in Mid-
dylwych in Comitatu Cestr' vt apparet per Rentale . . . vj^{li} ix^s vij^d

Onerantur dicti Bursarij pro certis terris et tenementis in
Sutton in Skegnes in Wyntrop et Borowe in Comitatu
Lincoln vt apparet per Rentale xxvj^{li} iiij^s vj^d

Et eciam dicti Bursarij Onerantur pro quodam Orto in
tenura tenentis Collegij Marie Magdalene vt apparet xij^d

Et eciam dicti Bursarij Onerantur cum pecunijs per ipsos
receptis de certis pascuis et clausuris in Grove vt de Forenc'
isto anno iiij^{li}

Iidem Bursarij Onerantur pro certis terris et tenementis in
Balscote in Comitatu Oxon' pro isto xxxvij^o anno Regis pre-
dicti vt Forenc' iiij^{li} viij^s

Dicti Bursarij Onerantur pro Camera in tenura Magistri
Caple vt de Forenc' viij^s

Onerantur dicti Bursarij pro Camera in tenuta Magistri Vernam vt de Forenc' viijs^s

Et eciam dicti Bursarij Onerantur pro Camera in aula nigra in tenuta Magistri Smyth vt de Forenc' xx^s

Iidem Bursarij Onerantur pro Camera nuper in tenuta domini Gode vt de Forenc' iijs^s

Dicti Bursarij Onerantur pro fine Iohannis Clereman in plenam solucionem dicti finis v^s

Dicti Bursarij Onerantur pro herieto Roberti Couper vt de Forenc' xiijs^s iiij^d

Iidem Bursarij Onerantur pro excambicione monete vt de Forenc' xij^s vj^d qua.

Et eciam dicti Bursarij Onerantur pro pecunijs per ipsos receptis de Iohanne Wakeleyn vt de Forenc' xvijjs^s

Summa Omnium reddituum et pecuniarum Forenc' receptorum ccx^{li} ob. qua.

Summa Totalis Oneris tam reddituum et receptio-
num Forenc' quam arreragiorum et extra-
ctorum cccxx^{li} ijs^s viij^d qua.

De Quibus

Iidem Bursarij Computant in defectu reddituum et reparationum.

In arreragijs de redditu de Bassettes Fee videlicet super occupationem nuper Prioratus de Studeley parcella de Bassettes Fee ad ijs^s per annum pro septem annis finitis ad festum Sancti Michaelis Archangeli xxxvij^o Regis Henrici Octauⁱ xiiij^s

Et in arreragijs super occupatorem Abbatis de Godstowe ad viijs^s per annum pro septem annis finitis in festo Michaelis xxxvij^o predicti Regis lvjs^s

Et super Thomam Catlif pro parcella prati in Northham pro iij^{bus} annis ad xxv^s per annum finitis ad festum Michaelis anno xxxj^o dicti Regis iij^{li} xv^s

Et super super [*sic*] occupatorem Abbatis de Rewley ad v^s per annum pro iij^{or} annis finitis ad festum Sancti Michaelis anno xxxvij^o Regis Henrici Octauⁱ xx^s

Et super tenentem Iohanne Busby vidue ad ijs. vjd. per annum pro iij^{bus} annis finitis ad festum Sancti Michaelis anno xxxvij^o Regis predicti vijs^s vjd

Et in arreragijs de redditu de Coldnorton videlicet super Iohannem Okeley debitis ad festum Sancti Michaelis Archangeli anno xxvj^o Regis Henrici Octauⁱ xxvij^s iiij^d

Et super Nicholaum Euerton de Churchhyll pro redditu
quieto ad ijs per annum pro xvij^{cem} annis finitis ad festum
Michaelis anno xxxvij^o predicti Regis xxxvj^s

Et in arreragijs super Rectorem de Thenford ad liijs. iiij^d.
per annum pro xxij [annis] ac dimidio anno finitis ad festum
Sancti Michaelis anno xxxvij^o dicti Regis lx^{li}

Et super Leonardum Yate de antiquis arreragijs vt patet in
Computo precedenti Et super dictum Leonardum Yate pro
dimidio anno finito in festo Sancti Michaelis Archangeli anno
xxvij^o Regis Henrici Octauⁱ xxvij^s vj^d

Et super Iohannem Pates pro dimidio anno pro Sewell vt
patet in Computo precedenti Et super dictum Iohannem pro
arreragijs in Sewell predicta ad xs. per annum pro x^{cem} annis
finitis in festo Sancti Michaelis Archangeli anno xxxvij^o Regis
Henrici Octauⁱ v^{li} v^s

Et in arreragijs super Somerland de Cropredy debitis
ad festum Sancti Michaelis anno xxxvij^o predicti Regis v^s

Et super Thomam Hyat de Burford pro arreragijs debitis in
anno xxx^o Regis predicti iiij^s iiij^d

Et super Willelmum Pledyll pro arreragijs in Faryngdon ad
iijs iiij^d per annum pro xxiiij^{or} annis finitis ad festum Michaelis
anno xxxvij^o dicti Regis iiij^{li}

Et in arreragijs super Ricardum Long pro Manerio de Brad-
ford in parochia de Lemster debitis in anno xxxij^o Regis pre-
dicti iij^s iiij^d

Et super Ricardum Stephyns de Ivyngton in dicta parochia
de Lemster debitis in anno xxxiiij^o Regis Henrici Octauⁱ xl^s

Et in arreragijs super predictum Ricardum Long pro isto
xxxvij^o anno predicti Regis iij^{li} vj^s viij^d

Et similiter in arreragijs super Ricardum Stephyns debitis
pro isto xxxvij^o anno Regis predicti iij^{li}

Et in arreragijs super nuper Prioratum Sancti Bartholomei
infra villam Gloucestri ad ijs. per annum pro octo annis finitis
in festo Michaelis anno xxxvij^o dicti Regis xvj^s

Et super Iohannem Wood de North Okynton pro certis re-
paracionibus per ipsum ex conuencione fiendis et nondum
constructis vj^s viij^d

Et super Daudem Ienkynson pro pecunijs per ipsum receptis
de Iohanne Hamond debitis in anno xxxiiij^o dicti Regis v^s vij^d ob.

Et in arreragijs super Radulphum Bostok de Middelwych in Comitatu Cestr' pro ij^{bus} annis finitis ad festum Michaelis anno xxxvij^o predicti Regis lijs^s iiij^d

Et super Thomam Twaytes de Oxonia debitis ad festum Natalis domini anno xxxiiij^o Regis Henrici viij Et super Relictam dicti Thome pro xxxvij^o anno dicti Regis ix^s iiij^d

Et in arreragijs super Willelmum Wodford de Oxonia pro tenemento nuper in tenura Thome Twaytes pro isto xxxvij^o anno dicti Regis vjs^s viij^d

Et in arreragijs super Relictam Sambych de Burford debitis pro isto xxxvij^o anno predicti Regis v^s

Et in arreragijs super Robertum Gent de London' debitis pro isto xxxiiij^o anno Regis Henrici Octauⁱ iij^{li} xv^s

Et in arreragijs super Margeriam Collyngring pro terris et tenementis nostris in Skegnes et Sutton in Comitatu Lincoln' pro xxxvij^o dicti Regis xx^s iiij^d

Summa arreragiorum cij^{li} vjs^s vij^d ob.

Allocantur dicti Bursarij pro decasu certarum terrarum et tenementorum in Somerby in Comitatu Leycestr' pro isto xxxvij^o anno Regis Henrici Octauⁱ ix^s vij^d

Et similiter allocantur dicti Bursarij pro decasu in Genyns et Ealdyng in Comitatu Kanc' pro dicto xxxvij^o anno dicti Regis iij^s iiij^d qua.

Et eciam dicti Bursarij allocantur pro decasu in Faryngdon pro certis terris et tenementis ibidem pro predicto xxxvij^o anno predicti Regis xvjs^s iiij^d

Summa decasuum et allocacionum xxix^s ii^d qua.

Summa arreragiorum decasuum et allocacionum cij^{li} xvjs^s ix^d ob. qua.

[Expenditure]

Et solutum Collegio Vniuersitatis Oxoniensis pro redditibus quietis exeuntibus de Collegio nostro debitis pro anno xxxvij^o Regis Henrici Octauⁱ iij^{li}

Et solutum Collegio Sancte Frideswyde pro redditibus quietis exeuntibus de Coldnorton pro dicto xxxvij^o anno Regis predicti xxvijs^s

Et solutum dominijs de Chepyngnorton pro redditibus quietis exeuntibus de Coldnorton Et similiter vicecomiti Comitatus Oxoniensis pro redditu vocato Castell rent. Et eciam Balliuo

de Chadlyngton Et solutum eciam Balliuo de Wotton Et
^{xvij^a} similiter solutum occupatoribus nuper Abbacie de Bruera pro
^{xvj^a} j^{li} piperis exeunti de Cotagio nostro in Dunthrop Et eciam
 Antonio Hungreford Militi pro terris et tenementis nostris in
^{iiij^s} Rollandright Magna debitis in festo Michaelis anno xxxvii^o
 Regis Henrici Octavi xxj^s j^d

Et solutum occupatoribus ad Osney pro domibus nuper in
^{xxxvj^s iiij^a ob.} tenura Daudis Ienkynton et Roberti Larke Et solutum eisdem
^{mun} occupatoribus pro aula Edwardi aula nigra et aula vocata the
^{xxxiiij^s iiij^a} Glasynhall debitis ad festum Sancti Michaelis anno xxxvii^o
 Regis Henrici Octavi iiij^{li} ix^s viij^d ob.

Et solutum Gardianis ecclesie beate ^{xij^a} Marie in Oxonia Et
^{iiij^s} eciam solutum dictis Gardianis pro isto xxxvii^o predicti Regis iiij^s

Et solutum domino Episcopo Lincolniensi pro redditibus
 quietis et sectis Curie exeuntibus de Manerio nostro in Cro-
 predy pro anno xxxvii^o dicti Regis

Et solutum eciam pro redditibus quietis exeuntibus de terris
 et tenementis nostris in Somerby et Borow in Comitatu
^{iiij^s, iiij^a} Leycestr' videlicet pro tenemento Thome Hyll Et solutum
^{iiij^a} Curie de Melton pro dicto tenemento Et eciam pro le Sherevys
 tourn Et similiter denario vocato a Couchyng peny Et
^{xv^a} similiter Curie de Radley pro tenemento Thome Michell Et
^{xvj^a} solutum eciam Curie de Horton pro tenemento Thome Baker
 Et similiter Curie de Stapulford pro dicto tenemento predicti
^{v^a} Thome Et similiter Balliuo de Melton pro redditu quieto
 exeunti de dimidia virgata terre Et similiter solutum Curie de
^{ix^a} Stapulford pro tenemento Thome Dawes debitis pro xxxvii^o
 anno predicti Regis viij^s x^d ob.

Et solutum eciam pro redditibus quietis exeuntibus de terris
 et tenementis nostris in Middelwyche videlicet to Saynt Johns.
^{viiij^a} et hered' de Bulkeley Et similiter Thome Fulcest Militi debitis
 pro isto xxxvii^o anno Regis Henrici Octavi x^s iiij^d

Et solutum Balliuo de Faryngdon pro redditibus quietis
 exeuntibus de terris et tenementis nostris ibidem pro dicto
 xxxvii^o anno predicti Regis xxx^s vj^d

Et solutum similiter pro redditibus quietus exeuntibus de
 terris et tenementis nostris in Comitatu Lincoln' videlicet domino
 de Croft pro redditu quieto exeunti de Skegnes et jli. piperis
 Et eciam in Sutton Et pro amerciamentis domino de Croft
 Et similiter nuper Abbatie de Markebe pro finibus et amercia-
 mentis Et eciam cuidam Caudesbe pro redditu quieto pro
 isto xxxvii^o anno Regis predicti x^s viij^d

Et eciam solutum pro redditibus quietis exeuntibus de Tene-
 mentis nostris in Whateley pro xxxvii^o anno predicti Regis . . . viij^d

Summa Reddituum quietorum xij^{li} iij^s viij^d

Et solutum Elizabethe Bulkeley vidue pro annuitate sua
 exeunti de Bassettes Fee pro isto xxxvii^o anno Regis Henrici
 Octau xl^s

Et solutum Magistro Vmfredo Ogull pro annuitate sua pro
 anno finito in festo Sancti Michaelis archangeli anno xxxvii^o
 predicti Regis c^s

Et solutum pro annualibus redditibus ecclesie beate Marie
 Lincoln' pro quibusdam diuinis officijs celebrandis pro xxxvii^o
 anno dicti Regis xij^{li} vj^s viij^d

Summa annuitatum xx^{li} vj^s viij^d

Et solutum Capellanis Ricardi Sutton Militis pro isto xxxvii^o
 anno Regis Henrici Octau x^{li}

Et solutum Capellanis Iohannis Cokkes pro dicto xxxvii^o
 anno predicti Regis iij^{li}

Et solutum Capellano Elizabethe Morley vidue pro predicto
 xxxvii^o anno dicti Regis xl^s

Et solutum Capellano seruienti ad Coldnorton pro isto
 xxxvii^o anno predicti Regis cvj^s viij^d

Et solutum pro Communis Magistri Principalis et So-
 ciorum pro anno integro finito in festo Sancti Hugonis Episcopi
 anno xxxvii^o dicti Regis xxx^{li} xix^s xj^d

Et solutum pro exhibicione Scolari Magistri Iohannis Cla-
 mond pro isto xxxvii^o anno predicti Regis xj^{li} x^s vj^d

Et similiter solutum Scolari Magistri Willelmi Porter pro
 dicto xxxvii^o anno Regis Henrici Octau xxxiij^s iij^d

Et solutum pro Communis lectoris Biblie Tonsor Mancipij
 promi et Coci pro xxxvii^o anno dicti Regis x^{li} viij^d

Et solutum Baldwino Smyth pro adiutorio Mancipij hoc
 anno xx^s

Et eciam solutum pro sale et farina ad aulam et Coquinam
 necessarijs pro isto ^{xj^s v^d} xxxvij^o anno predicti Regis xlijs v^d

Et similiter solutum pro lignis et Focalibus ad Coquinam
 pertinentibus pro isto xxxvij^o anno dicti Regis vj^{li} xj^s viij^d

Et eciam solutum pro anniuersario domini Willelmi Smyth
^{xx^s j^d ob.}
^{xxiiij^s v^d ob.}
 nuper Lincoln' Episcopi Ricardi Sutton Militis Fundatorum
 nostri Willelmi Porter Edwardi Derby et Iohannis Cokkes
 benefactorum Collegij nostri vt per billas examinatas ap-
 paret iiij^{li} iij^s viij^d

Et solutum in necessarijs ad Capellam nostram infra Col-
 legium nostrum Et ad Capellam nostram in Coldnorton vide-
 licet in Cera pane vino locione empcone et reparacione vestium
 vt per billas examinatas coram Magistro Principali et Socijs
 apparet particulariter xlv^s viij^d ob. qua.

Et solutum Magistro Principali pro Stipendio suo in exer-
 cendo Officium suum isto anno c^s

Et eciam solutum Magistro Vice-Principali pro Officio suo
 exercendo pro predicto anno xxxj^s viij^d

Et similiter solutum Bursarijs pro officio illo exercendo . xxvj^s viij^d

Et eciam solutum pro stipendio Lectoris Scholarum in aula
 pro anno integro iiij^{li}

Et solutum eciam pro stipendio Lectoris Sacre theologie in
 Nouis Scolis pro anno finito in festo Michaelis anno predicto . vj^s vj^d

Et similiter solutum supervisoris [*sic*] Capelle isto anno . vj^s viij^d

Et eciam solutum pro Stipendio Mancipij Tonsoris et Coci
 pro isto xxxvij^o anno Regis Henrici Octauⁱ vj^{li}

Et solutum Iohanni Hunt Generoso Solicitario nostro
 per [*sic*] Feodo suo per annum integrum xxvj^s viij^d

Et eciam solutum Henrico Rathbon pro stipendio suo hoc
 anno xxvj^s viij^d

Et solutum Waltero Pates pro stipendio suo in recepcione
 reddituum in Comitatu Gloucestr' isto xxxvij^o anno Regis
 predicti xiijs iiij^d

Et solutum Iohanni Bostok pro reparacione reddituum in
 Wyche in Comitatu Cestr' dicto anno ix^s

Et solutum eciam pro necessarijs ad Tonsorem v^s

Et similiter solutum pro necessarijs ad equos [?] Collegij
 vt apparet per bill' examinat' lvj^s ix^d ob.

Et solum pro diuersis reparacionibus factis infra Collegium
vt per bill' examinat' coram Magistro Principali et Socijs
particulariter apparet xxjs iiij^d ob. qua.

Et solum eciam pro diuersis reparacionibus factis ad
Coldnorton Et similiter ad Middelwych in Comitatu Cestr' Et
similiter super Tenementum Iohannis Miller in Oxonia Et
eciam in Somerby in Comitatu Leycestr' Et similiter in Sutton
in Comitatu Lincoln' pro mundacione Fossarum et reparacione
littorum marinorum pro isto anno et eciam pro anno vltimo
preterito videlicet pro anno xxxvij^o predicti Regis Et eciam
super Tenementum nostrum in Chepyngwycombe pro antiquis
reparacionibus vt apparet per bill' examinat' . . . vijli vjs ix^d

Et solum pro expensis Magistri Principalis et Bursariorum
ad London' Terminis Hillarij Trinitatis et Michaelis vt similiter
per bill' examinat' coram Magistro Principali et Socijs apparet
particulariter lvij^s iiij^d

Et solum pro expensis Magistri Principalis et aliorum
equitancium ad diuersa loca diuersis temporibus circa negocia
Collegij vt apparet per bill' examinat' iiijli xix^s vjd ob.

Et eciam solum in Feodis seruiencium Communis legis et
attornatorum eiusdem legis ac pro scriptis et instrumentis terr'
acquirend' et defendend' vt similiter per bill' coram Magistro
Principali et socijs examinat' apparet particulariter xij^s vjd

Et solum eciam in donis et regardis datis diuersis personis
vt apparet per bill' examinat' iiijli ix^s

Et similiter solum pro visitacione domini Episcopi Lin-
colniensis per Cancellarium suum pro isto xxxvij^o anno Regis
predicti. xxx^s

Et solum eciam per manus Bursariorum pro expensis ex-
traneorum et firmariorum vt apparet per bill' examinat' . . . xvjs iiij^d qua.

Et solum pro certis reparacionibus factis infra librarium
vt per bill' apparet particulariter ijs viij^d

Et similiter solum pro instauro infra Collegium vt apparet
per bill' examinat' xv^s jd ob.

Et eciam solum Collectori x^e et xv^e domino Regi con-
cessarum in parochia beate Marie in Oxonia pro isto xxxvij^o
anno dicti Regis vjs viij^d

Et similiter solutum Collectori predicte xv^e et x^e in parochia
Sancti Michaelis in Oxonia pro predicto anno. vj^s viij^d

Et eciam solutum pro visitacione domini Regis dicto
anno xvij^s iij^d ob. qua.

Et solutum eciam per manus Bursariorum tempore Com-
puti xxj^s v^d

Summa Omnium Solucionum cxliij^{li} x^s iij^d ob. qua.

Summa Omnium Solucionum Allocacionum et Arre-
ragiorum predictorum cclxxvij^{li} xvijs v^d ob.

Et sic debent predicti Bursarij xlj^{li} v^s ijd ob. qua.

Quam quidem summam deliberauerunt ad Cistam
Communem in presencia Magistri Principalis et
Sociorum Seniorum tunc presencium

Et Quieti recesserunt.

APPENDIX II

THE VALOR OF 1547

AUGMENTATION OFFICE MISCELL. BOOKS. VOL. 441

Oxonie Achademia

Sequuntur Annui Valores omnium et singulorum Dominiorum Maneriorum Terrarum Tenementorum et Hereditamentorum quorumcunque tam temporalium quam spiritualium infra Regnum Anglie et Marchias ejusdem scituatorum jacentium et existentium Collegijs Aulis Hospitalibus Cantariis et Capellis in Universitate Oxonie predictæ pertinentium sive spectantium unacum Misis et Reprisis inde exeuntibus ac statibus et conditionibus necnon Foundationibus cum Nominibus Fundatorum ac Diebus et Annis Foundationum eorundem secundum supervisionem ibidem Mense Januarij Anno Regni Domini Regis Henrici octavi Dei Gratia Anglie Francie et Hibernie Regis Fidei Defensoris ac in Terra Ecclesie Anglicane et Hibernice Supremi Capitis xxxvij^o [Jan. 154 $\frac{5}{8}$]. per Ricardum Coxe Theologie Doctorem et ejusdem Domini Regis Elemosinarium ac alios Commissionarios dicti Domini Regis adtunc ibidem existentes virtute Litterarum prefati Domini Regis sibi inde directarum factarum et declaratarum ut infra plenius apparere poterit.

Anno xxxvij^o.

Aula Regia et Collegium de Brasenose in Achademia Oxonie

Sequitur Annuus Valor

Omnium et singulorum Maneriorum Terrarum et Tenementorum ac ceterorum omnium et singulorum possessionum et hereditamentorum quorumcunque tam Temporalium quam Spiritualium eidem Collegio sive Aule pertinentium siue spectantium Scituatorum iacentium et existentium in diuersis villis et Hamleettis in diuersis Comitibus huius Regni Anglie existentium vnacum omnibus et singulis misis et reprisis tam ordinariis quam extraordinariis inde siue aliqua eorundem parcella exeuntibus seu soluendis Ac cum proporcione tam dietarum siue Mensarum Stipendiorum et aliorum neccessariorum Onerum et exhibicionum versus victum et vestitum vnus principalis, xiiij^o Sociorum et quinque Scholarium in eodem Collegio siue Aula iuxta statuta et ordinaciones inde edita existentium incumbentium quam stipendiorum et victus V. ministrorum ibidem ministrantium et seruientium vt inferius patet. Videlicet in

[REVENUE]

Comitatu Oxonie

Ciuitas Oxonie valet in Temporalibus videlicet in

Redditu Scitus cum omnibus domibus Edificijs ortis pomarijs gardinis ac terris et solo infra Scitum et Circuitum dicti Collegij per Annum } nihil quia reseruatur
ad vsum principalis
et Scholarium.

Redditibus assise annuatim receptis de Gardianis Ecclesie omnium Sanctorum in Oxonia per Annum iiij.s.

Redditu vnus Gardini cum pertinentiis ibidem dimissi Wykys Wedowe ad voluntatem domini Reddendo inde per Annum xij.d.

Redditu duorum pratorum cum pertinentiis ibidem vocatorum Brodemore et Northam in manibus principalis et Scolariū modo existentium olim dimissorum sub Redditu per Annum xl.s.
[Summa totalis] xlv.s.

Redditus vocatus Bassettes Fee valet in Temporalibus videlicet in

Redditibus assise diuersorum liberorum Tenentium pro Redditibus exeuntibus de diuersis pratis et Alijs terris in Comitatu Oxonie vocatis Basshettes Fee videlicet de terris dudum pertinentibus nuper Monasterio de Osney. xxxvj.s. iiij.d. ob. de terris nuper Collegij sancti [sic] Frideswithe xj.s. viij.d. de terris nuper prioratus de Godstowe. viij.s. de terris nuper prioratus de Studley. ij.s. de terris nuper prioratus de Lytlemore v. s. de terris Collegij Noui in Oxonia ij.s. ij.d. de terris Collegij Vniuersitatis Oxonie iiij.s. viij.d. de terris in tenura Willelmi Kyrkeman x.s. de terris in tenura — Busby vidue ij.s. vj.d. de terris nuper Monasterii de Abyngdon' modo in occupatione Willelmi Plummer ij.s. de terris nuper Monasterij de Abyngdon predicti vocatis Hynxhey medowe xx.s. de terris nuper prioratus de Rowley v.s. in toto per Annum prout patet. cvij.s. iiij.d. ob.

Marston parochia de se j. milliare a Civitate Oxonie valet in Temporalibus videlicet in

Redditu vnus Mesuagij cum pertinentiis ibidem cum omnibus terris pratis et pasturis eidem pertinentibus dimissi Edmundo Crouche ad voluntatem domini Reddendo inde per Annum lxxvj.s. viij.d.

Firma vnus Mesuagii cum omnibus terris pratis et pasturis eidem pertinentibus dimissi Ricardo Hoore per Indenturam sub Sigillo Communi dicti Collegij datam xxx^{mo} die Septembris Anno regni regis Henrici viij^{ui} xxxvj^{to} [30 Sept. 1544] pro termino xxx^{ta} annorum a data dicte Indenture per Annum xvij.s. iiij.d.

Firma vnus alij mesuagii cum pertinentiis ibidem ac cum omnibus terris pratis et pasturis eidem pertinentibus dimissi Willelmo Foreste alias Smyth per Indenturam sub Sigillo vnus Feoffatorum dictarum terrarum per Annum xxvj.s. viij.d.
[Summa totalis] cxj.s. viij.d.

Forest Hill parochia de se iij milliaria a Civitate Oxonie valet in Temporalibus videlicet in

Firma vnus Tenementi cum pertinentiis ibidem dimissi Iohanni Clereman per Indenturam sub Sigillo Communi [sic] dicti Collegij datam xix^o die Septembris Anno Regni Regis Henrici viij^{ui} xxxvij^{mo} [19 Sept. 1545] pro termino xxx Annorum a Festo Michaelis proximo post datam dicte Indenture Reddendo inde per Annum x.s.

Whateley in parochia de Cuddysden valet in Temporalibus videlicet in

Redditibus diuersorum Tenentium ibidem ad voluntatem domini videlicet — Plumare xx.s. — Smith x.s. et — Twyttys vj.s. viij.d. in toto prout patet per Annum . xxxvj.s. viij.d.

Garsyngton parochia de se iij milliaria a villa Oxonie valet in Temporalibus videlicet in

Firma vnus mesuagii cum terris pratis et pasturis eidem pertinentibus dimissi Willelmo Frankleyn per Indenturam sub Sigillo Communi predicto datam xx^o die Novembris Anno regni regis Henrici viij^{ui} xxxj^{mo} [20 Nov. 1539] pro termino xxx Annorum Reddendo inde per Annum A festo Michaelis proximo post datam dicte Indenture xliij.s. iij.d.

Cowley parochia de se ij milliaria ab Oxonia valet in Temporalibus videlicet in

Firma vnus Tenementi cum pertinentiis ibidem dimissi Thome Daye per Indenturam sub Sigillo Communi dicti Collegij datam viij^o die Augusti Anno regni regis Henrici viij^{ui} xxxiij^{eo} [8 Aug. 1541] pro termino xxj^{ti} Annorum A dato dicte Indenture per Annum vj.s.

Firma vnus Alius Mesuagii cum terris pratis Et pasturis eidem pertinentibus ibidem et Yfteley dimissi Willelmo Parsons per Indenturam sub Sigillo Communi predicto datam xvij^o die Octobris Anno regni regis Henrici viij^{ui} xxxvij^{mo} [17 Oct. 1545] A dato predicto per Annum pro termino xxx Annorum xxx.s.
[Summa totalis] xxxvj.s.

Stanlake parochia de se vj milliaria de Oxonia valet in Temporalibus videlicet in

Redditibus diuersorum Tenentium ad voluntatem domini ibidem per Annum xxix.s. iij.d.

Firma vnus Mesuagii cum omnibus terris pratis et pasturis eidem Mesuagio pertinentibus dimissi Iohanni Coles alias Barnes per Indenturam datam xxvj^{to} die Decembris Anno regni regis Henrici viij^{ui} xxxvij^{mo} [26 Dec. 1545] pro termino xxx Annorum A data predicta per Annum . xxxiiij.s.

Firma vnus Molendini Aquatici cum pertinentiis ibidem dimissi Thome Calcate per Indenturam sub Sigillo Communi dicti Collegij datam — die — Anno regni regis — pro termino — Annorum per Annum xxx.s.
[Summa totalis] iiij.l. xiiij.s. iij.d.

Burfford parochia de se valet in Temporalibus videlicet in

Redditu vnus Tenementi cum pertinentiis ibidem dimissi — Sandbage vidue ad voluntatem domini Reddendo inde per Annum xx.s.

Redditu vnus pecie terre cum pertinentiis ibidem dimisse Roberto Wysdome per Indenturam vt dicitur per Annum ij.s.
[Summa totalis] xxij.s. Inde in

Burfford parochia de se valet in Reprisis videlicet in

Redditu Resoluto exeunte de Tenemento predicto cum pertinentiis per Annum soluto Ballivo ville de Burfford predicta ij.s. vjd.

Et valet clare vltra Reprisas predictas per Annum xix.s. vjd.

Shypton parochia de se et Milton in parochia de Shipton valet in Temporalibus videlicet in

Redditibus diuersorum Tenentium ad voluntatem domini ibidem per Annum liij.s. iiij.d.

Firma vnus Mesuagii cum pertinentiis vocati Hyntons Lyllyees et Fyffians in Milton dimissi Iohanni Hacker per Indenturam datam ix^o die Marcij Anno regni regis Henrici viij^{ui} xxv^{to} [9 Mar. 1534] pro termino xxvj Annorum A data predicta Reddendo inde per Annum lxxvj.s. viij.d.
[Summa totalis] vj.l.

Ascotte vnder Whychewood parochia de se valet in Temporalibus videlicet in

Firma vnus Tenementi cum pertinentiis ibidem dimissi Iohanni Mynchyn per Indenturam vt dicitur Reddendo inde per Annum xiiij.s. iiij.d.

Cudlyngton parochia de se iiij milliaria ab Oxonia valet in Temporalibus videlicet in

Redditu vnus Tenementi cum pertinentiis ibidem dimissi Roberto Taillor Ad voluntatem Domini per Annum xx.s.

Firma vnus Mesuagii cum pertinentiis ibidem dimissi Roberto Saunders per Indenturam datam xxix^{no} die Septembris Anno xxxiiij^{cio} Regis Henrici viij^{ui} [29 Sept. 1541] pro termino xxx^{ta} Annorum proximo post datam predictam Reddendo inde per Annum xiiij.s. viij.d.
[Summa totalis] xxxiiij.s. viij.d.

*Barforde olyff parochia de se j milliare de Dedyngton valet
in Temporalibus videlicet in*

Redditibus diuersorum Tenentium ad voluntatem domini
ibidem videlicet Thome Ward xiiij.s. iiij.d. Ricardi Wyldon xv.s.
iiij.d. Iohannis Heron vj.s. viij.d. et Willelmo [*sic*] Fortnam
vj.s. viij.d. in toto per Annum clare xlij.s.

*Grove in parochia de Magna Tue valet in Temporalibus
videlicet in*

Firmis diuersarum pasturarum et clausurarum cum perti-
nentiis ibidem dimissarum Iohanni Busbey per Indenturam ut
dicitur Reddendo inde per Annum x.l.

*Shelleswell parochia de se iij milliaria a Byssyter' valet
in Temporalibus videlicet in*

Firma vnus Mesuagii cum omnibus et singulis terris pratis
et pasturis eidem Mesuagio pertinentibus dimissi Roberto
Hethe per Indenturam datam — die — Anno regni regis
Henrici viij^{ui} pro termino — Annorum A dato Indenture
predicte Reddendo inde per Annum iiij.l.

*Cropridie parochia de se iij milliaria de Banbur' valet in
Temporalibus videlicet in*

Redditibus assise ibidem videlicet Thome Halle (j.d. ob.)
et Iohannis Myllys (ob.) per Annum ij.d.

Redditibus diuersorum Tenentium ad voluntatem domini
ibidem per Annum vj.l. ij.s. viij.d.

Firma vnus mesuagij cum omnibus terris pratis et pasturis
eidem mesuagio pertinentibus dimissi Willelmo Fox per Inden-
turam datam ix^{no} die Nouembris Anno regni regis Henrici
viij^{ui} xxxij^{do} [9 Nov. 1540] pro termino xxx^{ta} Annorum a
data predicta per Annum cxij.s. iiij.d.

Firma vnus alius mesuagij cum omnibus terris pratis et
pasturis eidem mesuagio pertinentibus dimissi Rogero Lum-
berd per Indenturam datam xxij^{do} die Marcij anno regni regis
Henrici viij^{ui} xxxiiij^{cio} [22 Mar. 154 $\frac{1}{2}$] pro termino xxj^{us}
Annorum A data Indenture predicte Reddendo inde per
Annum xxxviij.s. iiij.d.

[Summa totalis] . xiiij.l. xiiij.s. vj.d. Inde in

*Cropridie parochia de se iij milliaria de Banbur' valet in
Reprisais videlicet in*

Redditu Resoluto domino Episcopo Lincolniensi pro quie-
tancia Reddituum exeuntium de Terris et Tenementis predictis
per Annum ix.d.

**Et valet vltra Reprisais predictas per
Annum xiiij.l. xiiij.s. ix.d.**

*Coldnorton parochia de se j milliare de Chepyngnorton valet in
Temporalibus videlicet in*

Firma Manerij de Coldnorton predicta cum omnibus terris
pratis et pasturis eidem pertinentibus dimissi Lucas [*sic*] Long-
lond per Indenturam datam primo die Maij Anno regni regis
Henrici viij^{ui} xx^o [1 May, 1528] pro termino xxx^{ta} Annorum
A Festo Michaelis proximo post datam predictam Reddendo
inde per Annum xiiij.l. iij.s. iiij.d. Inde in
Perquisitis Curie ibidem Communibus Annis nihil.
Vendicione Bosci ibidem Communibus Annis nihil.

*Coldnorton parochia de se j milliare de Chepignorton valet in
Reprisīs videlicet in*

Redditu Resoluto Annuatim soluto ad Capitale Manerium
de Chepyngnorton per Annum x.s. v.d.

Consimile Redditu exeunte de Manerio dicti Collegij pre-
dicto pro Redditu vocato Castill Rent soluto vicecomiti Oxonie
per Annum ij.s.

Consimile Redditu exeunte de Manerio predicto soluto
Annuatim Ballivo de Chadlyngton per Annum xvij.d.

Consimile Redditu Annuatim soluto Ballivo de Sutton'
exeunte de Manerio predicto per Annum ij.s.
[Summa totalis] xv.s. x.d.

**Et valet clare vltra Reprisās predictas per
Annum** xiiij.l. vij.s. vj.d.

*Rollwright parochia de se ij. milliaria A Chepyngnorton valet
in Temporalibus videlicet in*

Redditibus Custumariorum Tenentium ibidem per
Annum iiij.l. iiij.d.

Redditibus assise ibidem per Annum iiij.d.

Firma Manerij de Rollewrygth predicta cum omnibus
terrīs pratis et pasturis eidem pertinentibus dimissi Humffrido
Assheffild per Indenturam sub Sigillo Communi dicti Collegij
datam iiij die Maij Anno regni regis Henrici viij^{ui} xxvij^{uo}
[4 May, 1536] pro termino xxx^{ta} Annorum A Festo Annun-
ciationis proximo Ante datam dicte Indenture Reddendo inde
per Annum c.s.

Firma vnus mesuagij cum pertinentiis ibidem dimissi
Thome Kyrre per Indenturam vt dicitur Reddendo inde per
Annum xxvj.s. viij.d.

Perquisitis Curie ibidem communibus Annis ij.s.

Vendicione Bosci ibidem communibus Annis iiij.l.

[Summa totalis] x.l. ix.s. iiij.d. Inde in

Rollwright parochia de se ij. milliaria A Chepygnorton valet in Reprisis videlicet in

Redditu Resoluto Annuatim soluto Collegio Sancti [sic] Frydiswide in Oxonia per Annum xxvij.s.

Consimile Redditu Annuatim soluto Anthonio Hungerford Militi exeunte de Manerio et terris predictis per Annum iiij.s.
[Summa totalis] xxxj.s.

Et Remanet Clare vltra Reprisas predictas per Annum viij.l. xvij.s. iiij.d.

Chepyngnorton parochia de se valet in Temporalibus videlicet in

Redditibus diuersorum Tenentium ad voluntatem domini in Chypyngnorton predicta videlicet Thome Herne vj.s. viij.d. Thome Colton ij.s.—Holowaye Capellani iiij.s. et Ricardi Grene iij.s. in toto per Annum prout patet xv.s. viij.d.

Bradston in parochia de Euston' valet in Temporalibus videlicet in

Firmis Terrarum pratorum pasturarum et Clausurarum cum pertinentiis in Bradston predicta dimissarum Humffrido Assheffield Armigero per Indenturam datam iiij^{to} die maij Anno regni regis Henrici viij^{ui} xxvij^{uo} [4 May 1536] pro termino xxx Annorum A data predicta per Annum lx.s.

Dunthrope parochia de Hethrop j milliaria de Chepyngnorton valet in Temporalibus videlicet in

Firmis Terrarum pratorum et pasturarum cum pertinentiis ibidem in Dunthrope predicta dimissarum prefato Humffrido Assheffield per Indenturam supra dictam Reddendo inde per Annum x.s. Inde in

Dunthrope parochia de Hethrop j milliaria de Chepyngnorton valet in Reprisis videlicet in

Redditu Resoluto Annuatim soluto Thome pope militi exeunte de terris predictis per Annum xvj.d.

Et valet Clare vltra Reprisas predictas per Annum viijs. viij.d.

Styple Aston parochia de se valet in Temporalibus videlicet in

Firmis Terrarum pratorum pasturarum et Clausurarum cum pertinentiis in Stiple Aston predicta dimissarum Willelmo Parsons per Indenturam datam xij^o die Decembris Anno regni regis Henrici viij^{ui} xx^{mo} [12 Dec. 1528] pro termino xxj Annorum A Festo Annunciationis proximo post datam dicte Indenture Reddendo Inde per Annum xx.s.

Banbury valet in Temporalibus videlicet in

Redditibus assise Annuatim Receptis de Guilda Ecclesie de Banbury predicta per Annum iiij.s.

Shewell in parochia de Swafforde ij milliaria A Cheping-norton valet in Temporalibus videlicet

Redditu Terre Tenementi cum pertinentiis in Shewell' predicta dimissi — Pope Ad voluntatem Domini Reddendo inde per Annum x.s.

Chadlyngton in parochia de Chalbur' V. milliaria A Cheping-norton valet in Temporalibus videlicet in

Redditu Terre Tenementi cum pertinentiis ibidem in Chadlyngton predicta dimissi Edmundo Osloston per Indenturam vt dicitur per Annum ij.s. iiij.d.

Chylson in parochia de Chalbur' predicta valet in Temporalibus videlicet in

Redditu vnus Tenementi cum terris pratis pascuis et pasturis eidem Mesuagio siue Tenemento pertinentibus dimissi Willelmo Howet ad voluntatem domini Reddendo inde per Annum xxij.s. iiij.d.

Euston parochia de se valet in Temporalibus videlicet in

Redditu Terre Tenementi cum pertinentiis ibidem in tenura Iohannis Mason Reddendo inde per Annum . . . xvj.d.

Churchehill parochia de se ij milliaria A Chepyngnorton valet in Temporalibus videlicet in

Redditibus assise ibidem per Annum vltra ij.s. non solutos ij.s.

Balscote in parochia de Swaclyff ij milliaria A Banburi valet in Temporalibus videlicet in

Firmis diuersorum Terrarum Tenementorum cum pertinentiis in Balscote predicta diuersis personis dimissorum per Indenturas separales sub Sigillo cuiusdam Iohannis Waudy nondum ostensas videlicet Edwardo Wattys xxvj.s. Thome Wever xxvj.s. et Willelmo Plumme xvj.s. in toto per Annum . lxvij.s. Inde in

Balscote in parochia de Swaclyff ij milliaria A Banburi valet in Reprisis videlicet in

Feodis Collectorum omnium et singulorum Reddituum in dicto comitatu Oxonie per Annum xx.s.

Et valet vltra Clare per Annum xlviij.s.

Summa totius Clari Annui valoris in dicto Comitatu Oxonie iiij^{xx}. xv.l. viij^s. viij^d. ob.

Comitatus Gloucestrie.

*Kemmarton parochia de se iiij milliaria A Tewkysbur' valet
in Temporalibus videlicet in*

Firma vnus mesuagii cum omnibus Terris pratis et
pasturis eidem Mesuagio pertinentibus dimissi Roberto Nebur'
per Indenturam sub Sigillo Communi dicti Collegii datam xij^o
die Marcij Anno xxx^{mo} regni regis Henrici viij^{ui} [12 Mar.
1538.] pro termino xxx Annorum A data predicta per
Annum lvj.s. viij.d. Inde in

*Kemmarton parochia de se iiij milliaria A Tewkysbur' valet
in Reprisis videlicet in*

Annuo Redditu exeunte de terris et Mesuagio predictis
Annuatim soluto pro secta Curie Ad Manerium de — per
Annum iiij.d.

Et valet clare ultra Reprisas predictas per Annum . lvj.s. iiij.d.

*Westmoncote in parochia de Bredon valet in Temporalibus
videlicet in*

Firma vnus Mesuagii cum terris pratis et pasturis eidem
pertinentibus dimissi Ricardo Bumpas per Indenturam datam
xij^o die Augusti Anno regni regis Henrici viij^{ui} xxxij^{do}
[12 Aug. 1540.] pro termino xxx^{ta} Annorum [A] data predicta
Reddendo inde per Annum xx.s.

*Fyddyngton parochia de se iij milliaria A Tewkysbur' valet
in Temporalibus videlicet in*

Firmis Terrarum Tenementorum pratorum et pasturarum
cum pertinentiis in Fyddyngton predicta dimissorum Ricardo
Kemble per Indenturam datam iiij^{to} die Augusti Anno regni
regis Henrici viij^{ui} xxxij^{do} [4 Aug. 1540.] pro termino xxx
Annorum A data predicta per Annum xiiij.s.

*Suthwyk in parochia de Tewkysbur' valet in Temporalibus
videlicet in*

Firma Terre arrabilis et duarum Clausurarum cum perti-
nentiis ibidem dimisse Thome Wakeman per Indenturam
datam xxix^{no} die Septembris Anno regni regis Henrici viij^{ui}
xxxvj^{to} [29 Sept. 1544] pro termino xxx Annorum A data
predicta per Annum viij.s.

*Sainthurst in parochia de — valet in Temporalibus
videlicet in*

Redditibus Terrarum et Tenementorum cum pertinentiis
ibidem in Saynthurst predicta diuersis personis dimissarum
Ad voluntatem domini Reddendo inde per Annum . xxviij.s. vj.d.

*Twygworthe in parochia de ——— valet in Temporalibus
videlicet in*

Redditibus Terrarum et Tenementorum cum pertinentiis
ibidem in Twygworth predicta diuersis personis dimissarum
Ad voluntatem domini Reddendo inde per Annum . xxxiiij.s.

*Longfford in parochia de ——— iuxta uillam Gloucestrie valet
in Temporalibus videlicet in*

Redditu vnus Mesuagii cum Terris pratis et pasturis
eidem Mesuagio pertinentibus in Longfford predicta dimissi
Johanni Hemmyng Ad voluntatem domini Reddendo inde per
Annum xxij.s. vjd.

Firma terre et Clausure ac prati cum pertinentiis ibidem
dimisse Willelmo Dobbys per Indenturam datam xxix^{no} die
Septembris Anno regni regis Henrici viij^{ui} xxxvj^{to} [29 Sept.
1544] pro termino xxx Annorum A data predicta Reddendo
inde per Annum iiij.s.
[Summa totalis] xxvj.s. vjd.

*Kynges Home prope Gloucestriam in parochia de ———
valet in Temporalibus videlicet in*

Redditibus diuersorum Terrarum et Tenementorum cum
pertinentiis in Kynges Home predicta diuersis personis dimis-
sorum ad voluntatem domini Reddendo inde per Annum . lxviij.s. x.d.

Firma vnus parue Clausure cum pertinentiis ibidem dimisse
Thome Parrye per Indenturam datam xij^o die Augustij [*sic*]
Anno regni regis Henrici viij^{ui} xxxvj^{to} [12 Aug. 1544] pro
termino xxx Annorum A data predicta per Annum iiij.s.

Firma vnus Clausure cum pertinentiis ibidem vocate Lytle
parke dimisse prefato Thome per Indenturam datam xxviij^{mo}
die Octobris Anno regni regis Henrici viij^{ui} xxxiiij^{cio} [27 Oct.
1541] pro termino xxx Annorum A data predicta Reddendo
inde per Annum vj.s. viiij.d.
[Summa totalis] lxxix.s. vj.d. Inde in

*Kynges Home prope Gloucestriam in parochia de ———
valet in Reprisis videlicet in*

Feodis Collectorum omnium et singulorum Reddituum in
dicto Comitatu Gloscestrie per Annum x.s.

Et valet vltra reprisas predictas per Annum Clare . lxix.s. vj.d.

Summa totalis Clari Annui valoris in dicto Comitatu
Gloucestrie xij.l. xv.s. x.d.

Comitatus Berk'

Faryngton parochia de se valet in Temporalibus videlicet in

Firmis omnium et singulorum Terrarum et Tenementorum pratorum et pasturarum cum pertinentiis in Faryngton predicta dimissorum Roberto Clotte per Indenturam datam xxix^{no} die Septembris Anno regni regis Henrici viij^{ui} xxvij^{uo} [29 Sept. 1536] pro termino xxx Annorum A data dicte Indenture Reddendo inde per Annum iiij.l. v.s. Inde in

Faryngton parochia de se valet in Reprisīs videlicet in

Redditu Resoluto exeunte de terris et Tenementis predictis Annuatim soluto domino Regi ad possessiones suas nuper Monasterij de Bewley per Annum xxx.s. vj.d.

Et valet clare ultra Reprisas predictas per Annum liij.s. vj.d.

Summa totalis Clari Annui valoris in dicto comitatu Berk' liij.s. vj.d.

Comitatus Wigornie.

Bredon parochia de se valet in Temporalibus videlicet in

Firmis omnium et singulorum terrarum et Tenementorum cum pertinentiis in Bredon predicta dimissorum Willelmo Lyghtfote per Indenturam datam in Festo Sancti Thome Apostoli Anno xxij^{do} regni regis Henrici viij^{ui} [21 Dec. 1530] pro termino xxx. Annorum A data predicta Reddendo inde per Annum xl.s. Inde in

Bredon parochia de se valet in Reprisīs videlicet in

Feodo Collectoris Reddituum inde per Annum iij.s. iiij.d.

Et valet Clare ultra Reprisas predictas per Annum xxxvj.s. viij.d.

Summa totalis Clari Annui valoris in dicto Comitatu Wigornie xxxvj.s. viij.d.

Comitatus Hereffordie.

Lemster parochia de se cum Hamlettis Evington Bradford et Warton valet in Temporalibus videlicet in

Redditibus diuersorum Terrarum Tenementorum pratorum et pasturarum cum pertinentiis diuersis personis dimissorum per Indenturas vt dicitur et Ad voluntatem videlicet Ricardo Stephyns pro terris et Tenementis in Evington iiij.l. Ricardo Longe pro terris et Tenementis in Bradfford ix.l. Ricardo Bodle pro terris et Tenementis in Warton x.s. Iohanni Pole pro Terris et Tenementis iacentibus iuxta Lemster iij.s. iiij.d. in toto per Annum xij.l. xij.s. iiij.d.

*Lemster parochia de se cum Hamlettis Evington Bradford et
Warton valet in Reprisis videlicet in*

Feodis computantis et Collectoris Reddituum ibidem per
Annum vj.s. viij.d.

Et valet ultra Clare per Annum xij.l. vj.s. viij.d.

Summa totalis Clari Annui valoris in dicto Comitatu
Hereffordie xij.l. vj.s. viij.d.

Comitatus Cestrie.

*Myddlewycche parochia de se iiij milliaria A Nantwycche valet
in Temporalibus videlicet in*

Redditibus diuersorum Terrarum et Tenementorum
cum pertinentiis in Myddylwyche predicta diuersis personis
dimissorum ad voluntatem Reddendo inde per
Annum vj.l. ix.s. vij.d. Inde in

*Myddlewycche parochia de se iiij milliaria A Nantwycche valet
in Reprisis videlicet in*

Redditu Resoluto exeunte de terris et Tenementis pre-
dictis Annuatim domino Regi ad possessiones suas nuper
domus Sancti Iohannis Ierusalem in Anglia per Annum v.s. viij.d.

Consimile Redditu Annuatim soluto heredi de Bulkley
exeunte de terris et Tenementis predictis per Annum iiij.s.

Consimile Redditu exeunte de terris et Tenementis pre-
dictis Annuatim soluto Thome Fulsett Militi per Annum viij.d.

Feodo Collectoris Reddituum ibidem per Annum ix.s.

Decasis Redditibus ibidem prout patet per compota inde
ostensa per Annum xxvj.s. viij.d.

[Summa totalis] x.l. vj.s.

Et valet Clare ultra Reprisas predictas per Annum iiij.l. iij.s. vijd.

Annuitas Iohannis Porte militis

De Iohanne Porte milite exeunte de omnibus et singulis
Terris et Tenementis suis in Comitatu predicto existentibus
pro Annuitate prefato Collegio ac socijs ibidem pro tempore
existente et Successoribus suis imperpetuum concessa per
Annum vij.l.

Summa totalis Clari Annui valoris in dicto Comitatu
Cestrie et Derby xj.l. iii.s. vijd.

Comitatus Leicestrie.

Pykwell in parochia de — valet in Temporalibus videlicet in

Redditibus Assise in Pykwell predicta per Annum v.s.

Borowe parochia de se et Summerby parochia de se valent in Temporalibus videlicet in

Firmis omnium et singulorum terrarum Tenementorum pratorum et pasturarum cum pertinentiis in Borowe et Somerbye predictis dimissorum Iohanni Hunte per Indenturam datam vj^{to} die Iunij Anno xxxiiij^{cio} regni regis Henrici viij^{ui} [6 June 1541] pro termino xxviij Annorum A data predicta Reddendo inde per Annum ix.l. viij.s. iiij.d.

Summa totalis Clari Anni valoris in dicto Comitatu Leicestrie ix.l. xiiij.s. iiij.d.

Comitatus Lincolnie.

Sutton' parochia de se valet in Temporalibus videlicet in

Redditibus omnium et singulorum Terrarum et Tenementorum cum pertinentiis in Sutton' predicta diuersorum personarum ad voluntatem domini Reddendo inde per Annum xiiij.l. viij.s. viij.d. Inde In

Sutton' parochia de se valet in Reprisis videlicet in

Redditu Resoluto Annuatim exeunte de terris et Tenementis predictis et soluto domino de Crofte per Annum ij.s.

Consimile Redditu exeunte de terris et Tenementis predictis pro secta Curie Annuatim soluto per Annum viij.d.

Consimile Redditu exeunte de terris et Tenementis predictis Annuatim soluto domino Regi ad possessiones suas nuper Monasterij de Barkby per Annum xij.d.

Consimile Redditu exeunte de terris et Tenementis predictis Annuatim soluto cuidam — Candesbye per Annum viij.d.

Reparacionibus ibidem super le Seedyekys fiendis communibus Annis xxix.s.

Feodo Computantis ibidem per Annum xx.s.
[Summa totalis] liij.s. iiij.d.

Et valet Clare vltra Reprisas predictas per Annum x.l. xv.s. iiij.d.

Borowe in parochia de — ac Wynthrop parochia de se et Skegnes parochia de se valent in Temporalibus videlicet in

Redditibus omnium et singulorum Terrarum et Tenementorum cum pertinentiis in Borowe Wynthrope et Skegnes predictis dimissorum Cristofero Palmor Ad voluntatem domini Reddendo inde per Annum xij.l. xv.s. viij.d. Inde In

Borowe in parochia de — ac Wynthrop parochia de se et Skegnes parochia de se valent in Reprisis videlicet in

Redditu Resoluto exeunte de terris et Tenementis predictis Annuatim soluto domino de Croft' per Annum iiij.s. vj.d.

Et eidem pro vna libra piperis per Annum xxij.d.

Reparacionibus ibidem Communibus Annis super le Seedykes xxix.s.
[Summa totalis] xxxv.s. iiij.d.

Et valet Clare vltra Reprisas predictas per Annum . xj.l. iiij.d.

Summa totalis Clari Annui valoris in dicto Comitatu
Lincolnie xxj.l. xv.s. viij.d.

Comitatus Bukinghamie.

Chypyng Wecomb parochia de se valet in Temporalibus videlicet in

Firma vnius domus siue Hospicij vocate the Redd Lyon cum pertinentiis in Chypyng Wecombe predicta dimisse Iohanni Standysshe per Indenturam datam xj^o. die Septembris Anno regni regis Henrici viij^{ui} xxxv^{to} [11 Sept. 1543] pro termino xxx Annorum A Festo Sancti Michaelis proximo post datam predictę Indenture Reddendo inde per Annum . iiij.l. Inde in

Chypyng Wecomb parochia de se valet in Reprisis videlicet in

Reparacionibus ibidem fiendis Communibus Annis . . . xx.s.

Et valet Clare vltra Reprisas predictas per Annum . . . lx.s.

Summa totalis Clari Annui valoris in dicto Comitatu
Bukinghamie lx.s.

Comitatus Middlesexie.

Parochia de Strande iuxta London' valet in Temporalibus videlicet in

Firma vnius Mesuagij cum pertinentiis vocati the Whyte Harte in parochia de Strande predicta dimissi Thome Gente per Indenturam vt dicitur Reddendo inde per Annum . c.s. Inde in

Parochia de Strande iuxta London' valet in Reprisis videlicet in

Reparacionibus ibidem communibus Annis . . . xij.s. iiij.d.

Et valet Clare vltra Reprisas predictas per Annum iiij.l. vj.s. viij.d.

Summa totalis Clari Annui valoris in Comitatu Middlesexie
predicto iiij.l. vj.s. viij.d.

Comitatus Essexie.

Northokenton parochia de se valet in Temporalibus videlicet in

Firma vnius Messuagii cum pertinentiis in Northokenton predicta dimissi Willelmo Wood per Indenturam vt dicitur Reddendo inde per Annum . . . lx.s. vj.s. [sic] viij.d.

Summa totalis Clari Annui valoris in Comitatu
Essexie lxxvj.s. viij.d.

Comitatus Kancie.

Ealdyng parochia de se valet in Temporalibus videlicet in

Redditibus Assise diuersorum liberorum Tenentium ibidem
per Annum xxx.s. x.d. ob. q^a.

Redditu vnus domus siue Mesuagii cum omnibus terris pratis et pasturis eidem Mesuagio pertinentibus in Ealdyng predicta dimisse Dowse Hamand vidue ad voluntatem domini Reddendo inde per Annum liij.s. iiij.d.
 [Summa totalis] iiij.l. iiij.s. ij.d. ob. q^a.

Ealdyng parochia de se valet in Reprisis videlicet in

Decasis Redditibus ibidem prout patet per diuersa Compota inde ostensa et examinata per Annum iiij.s. iiij.d. q^a.

Et valet Clare vltra Reprisas predictas per Annum. iiij.l. xj.d. ob.

Summa totalis Clari Annui valoris in Comitatu Kancie predicto iiij.l. xj.d. ob.

Summa totalis Omnium et singulorum possessionum et hereditamentorum predictorum per Annum^{xx} ciiij xviiij.l. ii.s. ix.d. q^a.

Summa totalis reprisarum predictarum inde exeuntium per Annum xiiij.l. xiiij.s. vj.d. q^a.

Summa totalis Clari Annui valoris vltra Reprisas predictas per Annum^{xx} c iiij iiij.l. ix.s. iiij.d. Inde in

[**Expenditure**]

Reprisis ordinariis ex integra possessione dicti Collegij exeuntibus cum diuersis neccessarijs Expensis videlicet

Redditibus Resolutis videlicet in

Redditu Resoluto exeunte de scitu dicti Collegii Annuatim soluto Collegio Vniuersitatis Oxonie per Annum lx.s.

Consimile Redditu exeunte de predicto Collegio Annuatim soluto Gardianis Ecclesye beate Marie Oxonie per Annum iiij.s.

Feodis videlicet in

Denarijs Annuatim solutis diuersis personis tam A Consilijs dicti Collegii existentibus quam diuersis alijs personis videlicet Iohanni Hunt Generoso xxvj.s. viij.d. Henrico Rathbon' xxvj.s. viij.d. — Franke vj.s. viij.d. in toto per Annum lx.s.

Denarijs Annuatim solutis diuersis personis pro termino vite sue et post terminum vite eorum Soluendis duobus Scholaribus ex Conuentione inter prefatum Collegium et easdem personas confecta in Augmentatione numeri Scholarium dicti Collegii videlicet Humfrido Ogle Clerico pro Annuitate sua per Annum c.s. et Elizabethe Buckley vidue pro Annuitate sua per Annum exeunte de Bassettes Fee xl.s. vij.l.

in Solucionibus forinsecis videlicet in

Denariis Annuatim solutis diuersis personis pro Stipendiis et Annuis³ solucionibus videlicet Capellano celebranti et ministranti in Ecclesia parochiale de Colnorton' pro salario suo

cvj.s. viij.d. pro vno pane consecrabile et Cera in dicta Ecclesia Communibus Annis Expenditis xj.s. viij.d. Ecclesie Cathedrali Lincolniensi pro quadam Annua solucione facta ex ordinatione Fundatoris per Annum xij.l. vj.s. viij.d. lectori legenti leccionem Sacre theologie in vniuersitate Oxonie pro parte dicti Collegij iuxta mandatum regium vj.s. vj.d. per Annum Ac eciam pro expensis in lege pro placitis suis defendendis Communibus Annis vij.l. in toto prout patet per Annum .

xxvj.l. xj.s. vj.d.

in Triennale visitacione Episcopi videlicet in

Denarijs Annuatim solutis Episcopo Lincolniensi pro triennale visitacione sua Ad xx.s. per Annum iuxta Rationem lx.s. quolibet tercio Anno per Annum xx.s.

in Reparacionibus videlicet in

Denarijs solutis pro diuersis Reparacionibus super diuersis Tenementis et Edificijs suis in diuersis Comitatibus Anglie Sparsim Scituatis et existentibus Communibus Annis prout patet per diuersa Compota inde ostensa et examinata iiij.l.

in Reparacionibus videlicet in

Consimilibus denarijs solutis pro diuersis Reparacionibus super Domibus et Edificijs infra et circa Circuitum et precinctum dicti Collegij cum prouisione maerennii plumbi Feni Vitrei et aliarum neccessariarum rerum Ad predictas reparaciones fiendas prouidendarum Communibus Annis prout patet per diuersa Compota predicta c.s.

Necessarie Expense videlicet in

Denarijs Annuatim solutis pro diuersis neccessariis Expensis tam infra dictum Collegium quam extra circa negocia dicti Collegij videlicet Expensis dicti principalis et Bursariorum cum duobus famulis dicti principalis Equitantium in progressu suo Annuatim Ad superuidendum terras et Tenementa sua ac Ad Londinum circa negocia et prouisiones dictum Collegium concernentia Communibus Annis x.l. Denarijs solutis pro Expensis in Sacello dicti Collegij cum prouisione renouacione et Reparacione vestimentorum linthiaminum Ac Aliorum Apparatum eidem Collegio pertinentium et conuenientium ac pro pane et vino Consecrabilibus et cereis Candelis ibidem expenditis Communibus Annis liij.s. iiij.d. denariis solutis pro diuersis expensis in Aula et promptuario cum prouisione mapparum et Aliarum rerum ibidem expenditis Communibus Annis xx.s. Expensis similiter cum prouisione focalium et emendacione et renouacione vtensilium in Coquina Communibus Annis x.l. consimilibus Expensis cum renouacione

et emendacione librorum ibidem existentium et Aliarum rerum in Bybliothea dicti Collegij Communibus Annis xxvj.s. viij.d. Expensis eciam in Tonstrina Communibus Annis v.s. Ac in Expensis in Stabulo dicti Collegij cum prouisione duorum Equorum pabulo eorundem ac Apparatu eisdem conueniente Communibus Annis prout patet per diuersa Compota inde ostensa et examinata iiij.l. Expensis neccesariis tempore Auditionis prout patet per Compota predicta xx.s. in toto per Annum prout patet xxx.l. v.s.

Summa totalis Reprisarum ordinariarum predictarum extra integras possessiones dicti Collegij exeuntium per Annum ^{xx}iiij.l. vj.d.

Et Remanet Clare per Annum ciiij.l. viij.s. ix.d. Inde in

Proporcione cum Mensa siue dieta Porcionibus Exhibicionibus et Stipendiis vnus principalis xiiij^{cem} Sociorum vij Scholarium et octo Ministrorum in dicto Collegio existentium videlicet

Mensa Principalis videlicet in

Mensa principalis ex Statuto concessa iuxta ratam xiiij.d. qualibet Septimana lx.s. viij.d. et pro diebus pietancie ex statuto iiij.s. viij.d. in toto per Annum lxxv.s. iiij.d.

Mensa vice-principalis et xiiij^{1cem} [sic] Sociorum videlicet in

Mensa vice principalis et xiiij^{cem} Sociorum in dicto Collegio ex statuto fundatoris et ordinacione aliorum benefactorum existentium et commorantium iuxta ratam cuilibet eorum xiiij.d. hebdomedatim pro communis suis per Annum xliij.l. ix.s. iiij.d. et iuxta ratam iiij.s. viij.d. cuilibet eorum pro diebus pietancie per Annum lxxv.s. iiij.d. in toto per Annum xlv.l. xiiij.s. viij.d.

Mensa v Scholarium magistri Cleymond videlicet in

Mensa quinque Scholarium in dicto Collegio ex ordinacione cuiusdam magistri Cleymond existentium iuxta ratam cuilibet eorum versus Communas suas liij.s. iiij.d. per Annum in toto per Annum prout patet xiiij.l. vj.s. viij.d.

Augmentacio Mense dicte principalis et Sociorum videlicet in

Mensa principalis et Sociorum predictorum Augmentata in Exequijs Fundatoris ex statuto per Annum xiiij.s. iiij.d. et exequijs Magistri Sutton' benefactoris xiiij.s. iiij.d. per Annum in toto xxvj.s. viij.d.

Mensa ministrorum et famulorum videlicet in

Mensa diuersorum Ministrorum siue Famulorum in dicto Collegio ministrantium ex statuto videlicet Mancipio iuxta ratam x.d. hebdomedatim per Annum xliij.s. iiij.d. cuidam Alii

¹ The figure xiii is certainly the right one.

huiusmodi exercenti Officia tam Barbytonsonis quam Ianitoris iuxta Ratam x.d. hebdomedatim pro Communis suis per Annum xliij.s. iiij.d., promo iuxta Ratam predictam pro communis suis per Annum xliij.s. iiij.d. et coquo iuxta eandem ratam pro communis suis per Annum xliij.s. iiij.d. et lectori Byblye tempore prandiorum et Cenarum versus Communas suas per Annum xxxij.s. viij.d. in toto prout patet per Annum . . . x.l. vj.s.

Summa totalis Mense siue dieta predicta per Annum lxxij.l. xix.s. iiij.d.

Porciones siue Stipendia principalis et Sociorum videlicet in

Denarijs Annuatim solutis pro porcione siue stipendio dictorum principalis et Sociorum ex Statuto concessis videlicet principalis pro exercicione Officij sui predicti c.s. vice principalis xxvj.s. viij.d. decani Capelle vj.s. viij.d. duorum Bursariorum cuiuslibet xij.s. iiij.d. xxvj.s. viij.d. pro exercicione Officij sui, lectoris logices infra Collegium predictum iiij.l. in toto per Annum xij.l.

Exhibicio diuersorum benefactorum videlicet in

Consimilibus denarijs Annuatim solutis versus exhibiciones diuersorum Scholarium ibidem ex ordinacione siue Composicione diuersorum benefactorum videlicet ex ordinacione magistri Cockys duobus Scholaribus vtrique eorum xl.s. iiij.l. tribus Scholaribus cuiuslibet eorum lxvj.s. viij.d. ex ordinacione magistri Sutton' x.l. vni Scholari ex ordinacione Elizabethe Morles xl.s. et vni alij Scholari ex ordinacione magistri Porter xxxij.s. iiij.d. in toto per Annum prout patet xvij.l. xij.s. iiij.d.

Diuidencia Exequijs versus exhibiciones videlicet in

Denarijs Annuatim solutis et in exequijs domini Fundatoris et aliorum benefactorum inter principalem et Socios predictos Sacerdotes existentes distribuendis et diuidendis videlicet in exequijs predicti fundatoris x.s. v.d. Exequijs magistri Sutton' x.s. v.d. Exequijs Willelmi porter xij.s. iiij.d. Exequijs magistri Cockys xij.s. viij.d. et Exequijs magistri Derbey xvj.s. in toto per Annum prout patet lxij.s. xd.

Summa porcionum Exhibicionum et distributionum predictarum per Annum xxxij.l. xvij.s. ij.d.

Stipendia ministrorum et famulorum videlicet in

Denarijs Annuatim solutis pro diuersis Stipendiis famulorum et Ministrorum ibidem seruientium et Ministrantium ex Statuto concessis videlicet Mancipio dicti Collegij pro Stipendio suo per Annum xl.s. cuidam Alio Assistenti dicto Mancipio xx.s. barbitonsori et Ianitori xl.s. Coquo xl.s. Famulo Bursarij xx.s. Costodi [sic] Equorum xxvj.s. in toto pro Stipendijs suis per Annum prout patet ix.l. vj.s.

Summa Stipendiorum Ministrorum predictorum per Annum ix.l. vj.s.

Summa totalis proporcionis predicte per Annum c.xvj.l. ij.s. vj.d.

Et Remanet vltra nihil quia dicta Summa totalis proporcionis predicte Excedit Summam Clari Annui Valoris possessionum predictarum ultimo relictarum et proximo precedentium per xij.l. xij.s. ix.d. per Annum prout patet Ad cuius quidem et huiusmodi Aliarum excessionis subleuamen et exoneracionem, predicti principalis et Socij non habent Aliquod Aliud presidium siue Adiuuamentum nisi solum modo Absencia Aliquando predictorum Sociorum iuxta Statuta dicti Collegij et quandoque ex Finibus de terris et Tenementis suis receptis Ac sepe ex donis bonorum hominum nihil.

Memorandum that the sayd pryncipall & Fellowes of an old Custome haue euer lx pore Scholers & other which in the same howes haue their Chambers Free and payeth nothyng towards Fowell nor Wootmell Salt Manciples Coques ne Buttlers Wages Which is estemyd to eueri of them Worth xx.s. yerly.

Memorandum that the sayd pryncipall and Fellowes be patrones and do geve the parsonage of Steple Aston in the Countye of Oxon' Whyche is Worth yerly — .

Aula Regia et Collegium de Brasennose vulgariter nuncupata the Kynges Hall and Colledge of Brasennose ex Fundacione Willelmi Smyth Lincolniensis Episcopi et Ricardi Sutton' Armigeri primo die Februarij Anno regni regis Henrici viij^{ui} xij^{mo} [1 Feb. 152½.]

Annuus valor possessionum	c.iiij. ^{xx} xvij.l. ij.s. ix.d. q ^a .
Mise et reprise exeuntes	iiij. ^{xx} xiiij.l. xiiij.s. q ^a .
Sic remanet clare per annum	c.iii.l. viij.s. ix.d.
Proporcio victus et vestitus	c.xvj.l. ij.s. vj.d.
Excessio dicte proporcionis	xij.l. xij.s. ix.d.

Numerus personarum Studentium et Ministrantium xxix, inde Studentium , Ministrantium .

Collegium de Brasennose.

Secundum librum decimalem c.xiiij.l. ix.s. ij.d.

Secundum librum hodiernae superuisum . c.iiij.^{xx} xvij.l. ii.s. ix.d. q^a.

Qui excedit librum decimalem iiij.^{xx} iiij.l. xij.s. vij.d. q^a.

APPENDIX III

COMPARISON OF RETURNS OF INCOME IN
BURSARS' ROLL 1545-46 AND VALOR OF 1547.

	RECEIPTS. <i>Bursars' Roll,</i> 1545-46.			RECEIPTS. <i>Valor,</i> 1547.		
	£	s.	d.	£	s.	d.
Bassett's Fee . . .	7	8	4 $\frac{1}{2}$	5	8	4 $\frac{1}{2}$
Cold Norton . . .	36	7	0 $\frac{3}{4}$	14	3	4
Barton Olof . . .	2	2	0	2	2	0
Chepyngfaryngdon . .	5	4	8	4	5	0
Oxford . . .	2	6	8	2	5	0
Chepyngwycombe . .	4	0	0	4	0	0
Milton & Shipton . .	6	0	0	6	0	0
Borowe, Somerbeye & Pyckewell . . .	10	11	9 $\frac{1}{2}$	9	13	4
North Okynton . . .	3	13	4	3	6	8
Whyte Hert . . .	5	0	0	5	0	0
Cropredy . . .	13	14	6	13	14	6
Genyns, Ealdyng & West- bramlyng . . .	4	4	2 $\frac{3}{4}$	4	4	2 $\frac{3}{4}$
Cudlyngton . . .	1	14	8	1	14	8
Garsyngton & Cowley .	2	9	4	3	19	4
Foresthyll . . .	0	10	0	0	10	0
All Saints, Oxford . .	0	4	0	0	4	0
Stanlake . . .	3	3	3	4	13	3
Port's benefaction . .	7	0	0	7	0	0
Bredon . . .	2	0	0	2	0	0
Kemmerton, Fyddyington, Southwyke, Longford, Twygworth, King's Home . . .	13	9	8	12	6	2
Merston . . .	5	11	8	5	11	8
Ascote . . .	0	13	4	0	13	4
Burford . . .	1	0	0	1	0	0
Grove . . .	6	0	0	10	0	0
Bradford . . .	9	0	0	9	0	0
Warton . . .	0	13	4	0	13	4
Ivyngton . . .	4	0	0	4	0	0
Shelleswell . . .	4	0	0	4	0	0
Whateley . . .	1	16	8	1	16	8
Cowley & Yefteley . .	1	10	0	1	16	0
Middylwych . . .	6	9	7	6	9	7
Sutton . . .	26	4	6	21	15	8
Garden . . .	0	1	0	0	1	0
Balscote . . .	3	8	0	3	8	0

DIFFERENCES.

	<i>Bursars' Roll,</i> 1545-46.			<i>Valor,</i> 1547.		
	£	s.	d.	£	s.	d.
Bassett's Fee	7	8	4½	5	8	4½
Cold Norton	36	7	0¾	14	3	4
Chepyng Faryngdon . .	5	4	8	4	5	0
Oxford	2	6	8	2	5	0
Pyckewell	10	11	9½	9	13	4
North Okynton	3	13	4	3	6	8
Garsington & Cowley . .	2	9	4	3	19	4
Stanlake	3	3	3	4	13	3
Kemmerton, Fyddington, Southwyke, Longford, Twygworth, King's Holme	13	9	8	12	6	2
Grove	6	0	0	10	0	0
Cowley & Yefteley . . .	1	10	0	1	16	0
Sutton	26	4	6	21	15	8
	118	8	7¾	93	12	1½

Not in *Valor* :—

Grove	4	0	0
Room Rents	2	5	0

	124	13	7¾
Deduct <i>Valor</i>	93	12	1½

Excess income in 1545-46
over return in *Valor*

	21	1	6¼ ¹
--	----	---	-----------------

¹ Four additional sums entered in the roll for 1545-6 are omitted, being in the nature of casualties, none of which are entered in the *Valor*. They will be seen at the end of the Receipts, which are indicated by 'Onerantur'. Their total amount is £2 8s. 10d.

RETURNS OF INCOME, FROM THE VALOR
ECCLESIASTICUS, 1535

(*printed by the Record Commission, 6 vols., Lond., 1814, folio, vol. 2, pp. 271-2.*)

	£	s.	d.
Bassett's Fee	7	8	4 $\frac{1}{2}$
Coldenorton	31	5	1 $\frac{3}{4}$ ¹
Barforde, 42s.	6	5	0 ²
Garsyngton & Cowley, 49s. 4d.			
Cudlyngton, 34s. 8d.			
Mylton, 26s. 8d.			
Forstyll, 10s.	9	14	11 ³
All Saints, Oxford, 4s.			
Stanlake, £3 3s. 3d.			
Merston, £5 11s. 8d.			
Burforde, 20s.	10	12	10 ⁴
Croprydye			
Northokynton, £3	9	17	0 ⁵
Stroud, £5			
Chepyngfaryngton, £4 17s.	7	0	8 ⁶
Boro' Somerbye & Pykewell			
Yaldyng, £4 4s. 2 $\frac{3}{4}$ d.	6	10	10 $\frac{3}{4}$ ⁷
The Redde Lyon, Chepingwicome, £3			
Kyngs Hulme, £6 5s.	13	13	8 ⁹
Kenmerton, 56s. 8d.			
Westmoncote, 20s.			
Fydyngton, 12s.			
Sowthwyke, 8s.; Longford & Swygworthe ⁸ , £3 10s.			
Swyllyngs Meyde, 2s.			

¹ Net; the gross is entered at £36 6s. 7 $\frac{3}{4}$ d.

² Net; the gross is entered at £6 5s. 8d., though on the data it appears to be £6 6s.

³ Net; for though there are no deductions for outgoings, the items added together amount to £11 15s. 7d. But see note 1, p. 210, from which it will be seen that this entry is probably a mistake.

⁴ Net; the gross is entered at £13 14s. 4d.

⁵ Net; the gross is entered at £12 17s.

⁶ Net; the gross is entered at £10 11s. 9 $\frac{1}{2}$ d.

⁷ The account groups together the Yaldyng and Chepingwicome rents, amounting to £7 4s. 2 $\frac{3}{4}$ d., and deducts fixed payments, amounting to 13s. 4d., leaving a net £6 10s. 10 $\frac{3}{4}$ d. It does not deduct the stipends of John Cokkes's chaplains, which it sets down at £4, presumably because that payment was met by the sum of money bequeathed by J. C. See p. 116.

⁸ *Sic*, for Twygworthe.

⁹ Net; there being deducted from the gross rental of £14 13s. 8d., 20s. paid to Wm. Bostoke, receiver of rents.

	£	s.	d.
Chester Lancaster (Rentcharge of John Port)	7	0	0
Bredon	2	0	0
Summa omnium reddituum maneriorum } terrarum et aliarum possessionum . }	113	9	2 ¹

¹ Qu. £111 7s. 6d. net. If the real sum of the Mylton, &c., entry, viz. £111 15s. 7d., be substituted, the total will be as here given, viz. £113 9s. 2d.

APPENDIX IV

BRASENOSE COLLEGE GRACES¹

(with liturgical notes by Dr. Wickham Legg)

A

Ante Prandium

OCULI omnium spectant in Te, Deus! Tu das illis escas tempore opportuno. Aperis manum Tuam et imples omne animal Tua benedictione. Mensae coelestis nos participes facias, Deus, Rex aeternae gloriae.

These prayers may be found in the Sarum Manual (Rouen, 1501. p. lxxv), but they do not follow the same version. They may be found in Latin in the early primers and in English in the later.

B

Post Prandium.

Qui nos creavit, redemit et pavit, sit benedictus in aeternum. Deus, exaudi orationem nostram. Agimus Tibi gratias, Pater coelestis, pro Gulielmo Smyth episcopo, et Ricardo Sutton milite, Fundatoribus nostris; pro Alexandro Nowel et Jocosa Frankland, aliisque Benefactoribus nostris; humiliter Te precantes ut eorum numerum benignissime adaugeas. Ecclesiam Catholicam, et populum Christianum custodi. Haereses et errores omnes extirpa. Victoriā Reginam nostram et subditos ejus defende. Pacem da et conserva per Christum Dominum nostrum.

This prayer is not easily to be found in the Sarum Manual nor in the primers. The idea of the commemoration of benefactors may have arisen from the commemoration of the faithful departed in the Sarum Manual; the primers often have at end: God save the Church, our King and realme, and God have mercy on all Christian souls. Amen. But this is modified in Edward VI's reign, and becomes: God save our King and realm and send us peace in Christ: by which latter clause the final sentence in prayer above may have been suggested.

¹ *Reliquiae Hearnianae*. By Philip Bliss, vol. iii, London, 1869.

C

Ante Coenam.

Omnipotens et sempiterna Deus, sine quo nihil est dulce nihil odoriferum, misericordiam Tuam humiliter imploramus, ut nos coenamque nostram benedicas; ut corda nostra exhilares; ut quae suscepturi sumus alimenta, Tuo honori, Tuaeque beneficentiae accepta referamus; per Christum Dominum nostrum.

D

Post Coenam.

Quod corpora nostra, Deus optime maxime, cibo potuque abunde refecisti, agimus Tibi gratias, quantas possumus maximas: simulque precamur, ut animas nostras verbo et Spiritu deinde pascas; ut omnia mala fugiamus; ut quae sint Tibi placitura perfecte intelligamus, diligenter meditemur, et ad ea praestanda toto impetu feramur; per Christum Dominum nostrum.

To the Graces before and after Supper I have not found any very similar forms. Certainly not in the Graces at the end of *The forme of common praiers used in the Churches of Geneva*, translated by William Huycke, and printed by Edward Whitchurch at London in 1550.

X

History of the College

1547-1603

Part I Annals

Part II Social Life

By Reginald W. Jeffery M.A.
Of Brasenose College

Illustration to Monograph X

Part of Bursars' Roll 1581 *Between pp. 4 and 5*

INTRODUCTION

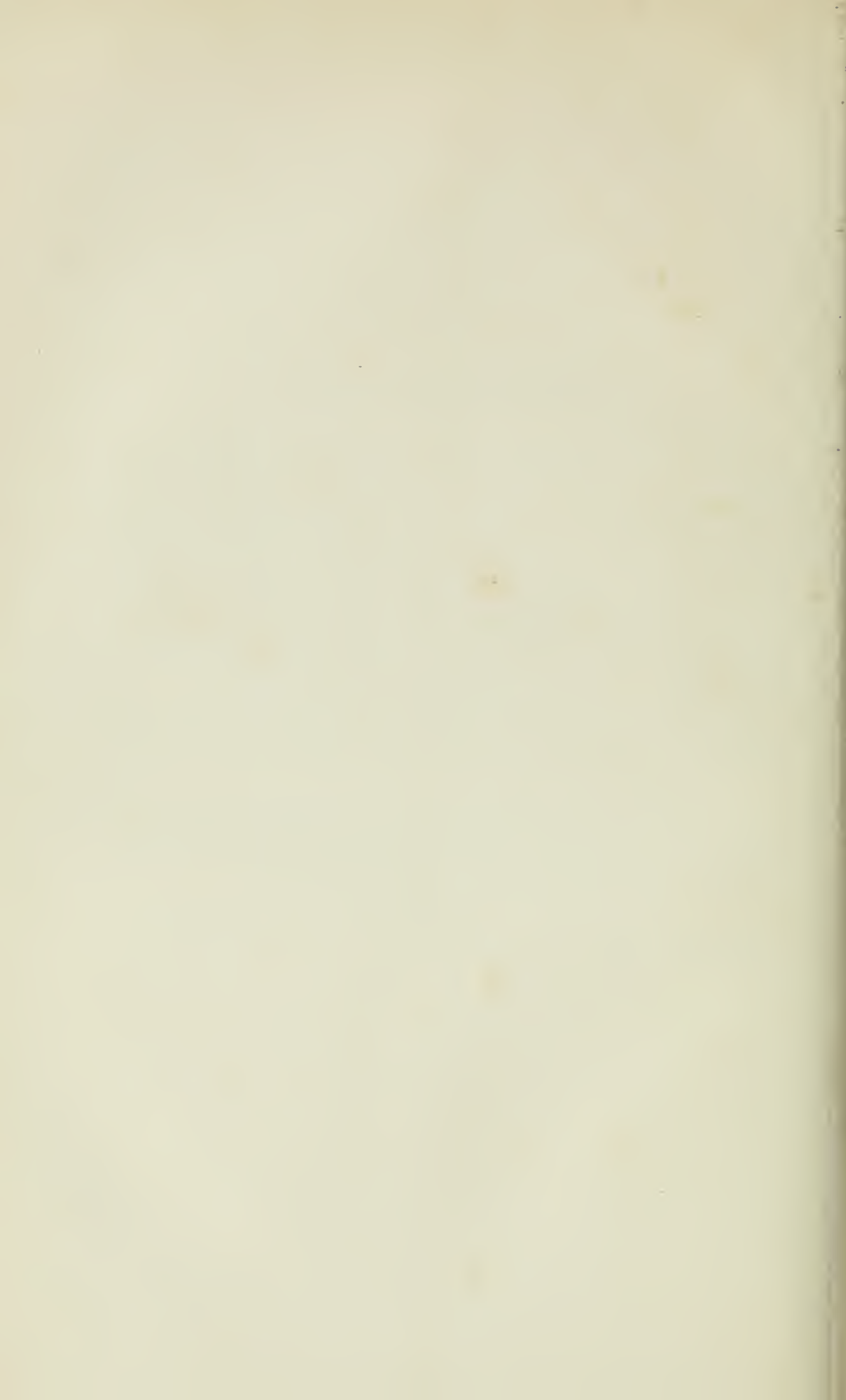
IT is not my object in this brief sketch to enter at any length into the lives of the benefactors, nor, indeed, to deal with the benefactions of those sons of Brasenose who, by their actions in the past, have earned the reverence and gratitude of many later generations. It is rather my intention to show, first, something of the annals of the College, and secondly, to state very shortly the chief social features of Brasenose College life during the last three reigns of the Tudor dynasty.

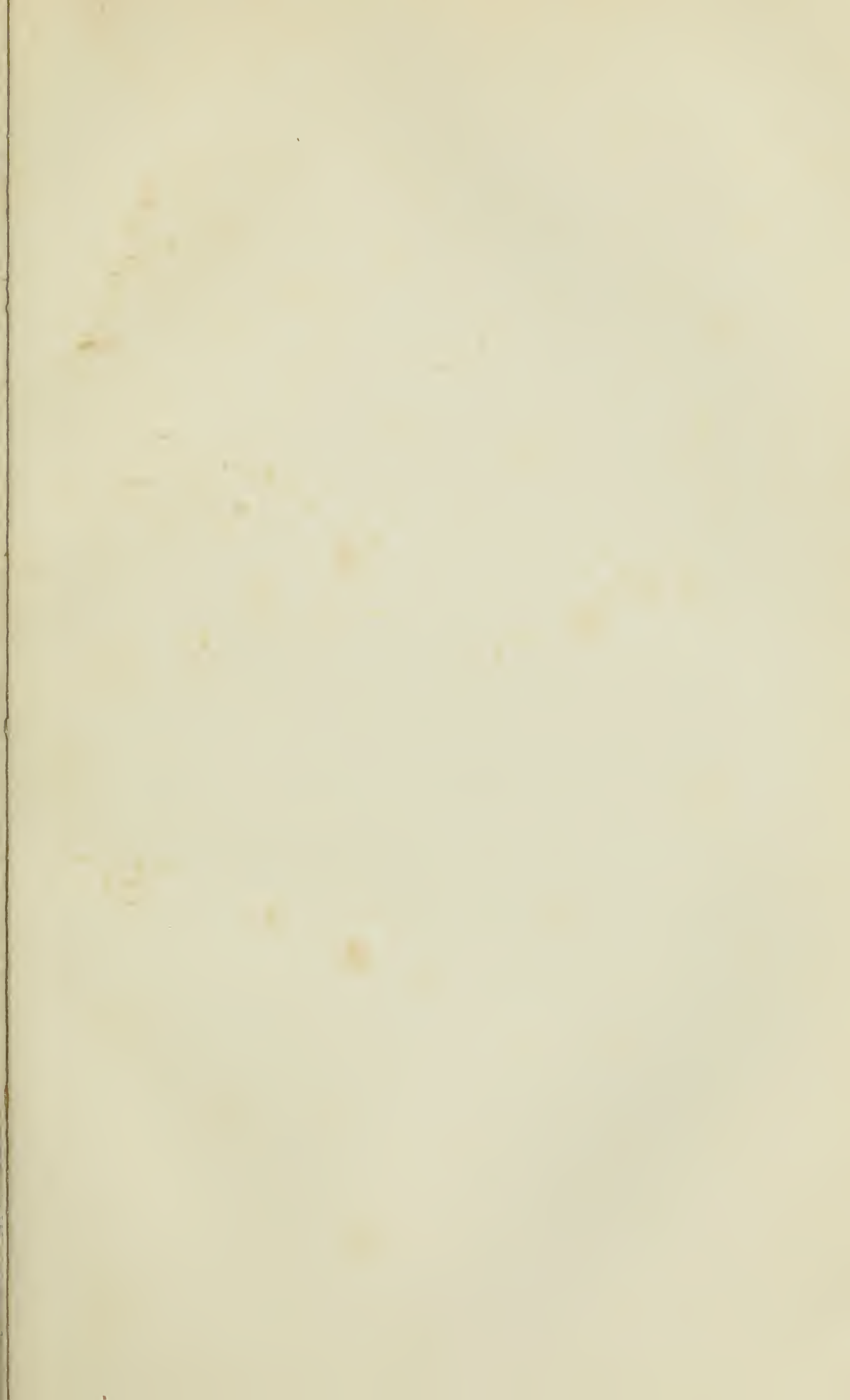
At the same time I must take this opportunity of sincerely thanking the Principal and Fellows for allowing me to undertake this task.

For many points in the history of the College I am indebted to Mr. Coxhill, whose knowledge of the records is very great, and who has rendered me very valuable assistance.

REGINALD W. JEFFERY.

OXFORD, 1909.





Bursarij p^{er} itidem se expensar
Stipendior' aliarq' impensarum

Item p^{er} Bursarij computant solut' magistro p^{ri}ncipali

Item solut' magistro p^{ri}ncipali stipendium s^uu^m p^{er} ann^um

Item solut' Bursarij stipendia sua p^{er} ann^um

Item solut' publico lectori Dialertice in aula g^{ra}m^{ma}tice collegij

Item solut' publico lectori naturalis p^{hi}los^ophie g^{ra}m^{ma}tice collegij

Item solut' publico lectori g^{ra}m^{ma}tice p^{hi}los^ophie g^{ra}m^{ma}tice collegij

Item solut' lectori publico g^{ra}m^{ma}tice literar' g^{ra}m^{ma}tice collegij

Item solut' p^{ri}ncipali capelle stipendium s^uu^m p^{er} ann^um

Item solut' m^o Willmo Lorge itio computi stipendium s^uu^m p^{er} ann^um

Item solut' capellano p^{ri}ncipali fundatoris stipendium

Item solut' p^{ri}ncipali m^o Jo^hes Cox stipendia sua p^{er} ann^um

Item solut' p^{ri}ncipali Elizabetha Morley stipendium s^uu^m p^{er} ann^um

— *phivm* —

_____ ४४५५

Expenses for A^o _____ m^{ts}

pendum sum per A.^o _____ m^o t.

no roll vij / stipandum /m for d^o _____ m^h

Stipendium pro ga d^o _____ m^o l^o

— ۷۶۷۷۸

Grado

Ma Ger Amu ————— 2^{te}

my

216



PART I

BRASENOSE COLLEGE ANNALS

1547-1603

A PREVIOUS monograph has shown that 'the King's Haule and Colledge of Brasennose in Oxford' was founded by William Smyth, Bishop of Lincoln, and Sir Richard Sutton, in the year 1509, in the first month of the reign of Henry VIII. The College was intended 'for the support and exaltation of the Christian faith, for the advancement of holy church and for the furtherance of divine worship'.¹ In other words, it is more than likely that the great prelate who converted the numerous Halls into Brasenose College, did so with the intention of raising a bulwark against the spread of heresy in the University.² From the first the College admitted students particularly from the northern counties of Cheshire, Lancashire, and Yorkshire, as the frequent occurrence of such names in the Register as Leigh, Watson, Latham, Brooke, Egerton, and Shuttleworth sufficiently prove.³

*Object of
Brasenose
College.*

The anti-doctrinal Reformation of Edward VI had not been introduced into England when John Hawarden was elected second Principal on February 27, 1547.⁴ During his period of office the College was destined to witness an extraordinary change. For the first two years of Edward VI's reign the old service continued, but after the passing of the Uniformity Act much of the splendid ceremonial in the chapel, then on No. I staircase,⁴ passed away. 'The books, chalices, vestments and other ornaments', spoken of in Bishop Smyth's will, probably disappeared soon after 1549; and with them the censers, ship

*The College
and the Re-
formation.*

¹ Clark, *Colleges of Oxford* (1892), p. 259.

² O. H. S. xli, p. 133.

³ Clark, *ut supra*.

⁴ Now the Senior Common Room.

for holding frankincense, 'sute of vestments of crymson velvet with iij copys poudred with flowres of gold lynyd with grene bokerham,' and many other resplendent garments of 'tynsild silke' and 'orfreis of lyght tawney'. While as the century proceeded more protestant views would cause the removal of 'a pair of orgaynes bought at London of the facion of a countyng borde or lowe table'.¹

*A College
census.*

At this period the College contained about seventy members, forty-nine of whom had not taken their degrees, including, somewhat curiously, the steward and the cook.²

*Erdeswicke
and
Wolton.*

Amongst the names that occur in the Register for 1553, two stand out pre-eminently as men who afterwards gained for themselves an enviable notoriety. The first was Sampson Erdeswicke, who matriculated this year as a gentleman-commoner. He was a Staffordshire man, and after his University career he retired to Sandon to carry on the pursuits of a country gentleman. It was here that he wrote his two chief works, *The view or Survey of Staffordshire*, and *Certaine verie rare observations of the North Countrie*. These earned for him the title of historian and gained for him the commendation of Camden. After his death in 1603, a monument was raised to his memory in Sandon Church.³ The second man of eminence was John Wolton, who, after he left the College, took holy orders and became, on July 2, 1579, Bishop of Exeter.⁴

*William
Elye and
the martyr-
dom of
Thomas
Cranmer.*

Although the College was producing many men of considerable merit, there was one at least of whom the present members can scarcely be proud, because of his unfeeling action at the time of Cranmer's death. Brasenose men must have been deeply impressed by the martyrdom of the Archbishop of Canterbury. It is recorded that, on March 24, 155⁵/₈, the

¹ Dr. A. J. Butler, *The College Plate*; cf. Spelman, *The History of Sacrilege*. That there was a great falling off in the splendour of the vestments is shown by a 'vewe' in the V. P.'s Reg., Jan. 10, 1595, when the only vestments were '3 copes, 1 pawle'.

² Clark, *ut supra*, p. 272. At this time Brian Higden added one fellowship to be held alternately by men from Yorkshire and Lincolnshire.

³ *Dyott's Diary* (1907), i, pp. 352-3, says of the monument, 'It is a magnificent pile to the memory of a magnificent man.'

⁴ Towneley MS., p. 267.

aged prelate passed 'under frowning skies through driving rain from the prison to St. Mary's Church'.¹ After confessing the enormity of his sin, he was hurried from the church to the place of execution in Broad Street. Here two Spanish friars endeavoured to persuade him to confess; and according to one authority, Mr. Elye of Brasenose, actually disputed with him at the stake.² According to another version of the story, Cranmer, when taking leave of his friends, 'went to shake by the hand one William Elye of Brasnose . . . but he drawing back, said "it was not lawful to salute Hereticks and especially such an one as falsely returned unto his opinions"'.³ In later years Elye himself had to suffer, for he was expelled from the Presidency of St. John's College in 1560, and after spending many years in prison, died at Hereford in 1609.⁴

In the matriculation list of this year the name of Thomas Egerton first appears. He was 'the natural son of Sir Richard Egerton, of Ridley, Cheshire, by one Alice Sparke'.⁵ He was called to the bar in 1572, and rose rapidly in his practice until he was appointed Solicitor-General in 1581, Attorney-General in 1592, and was knighted in the following year. He became Master of the Rolls in 1594, and two years afterwards was appointed Lord Keeper, 'by the Queen's own choice, without any competitor or mediator.' From this he rose still further, and having become Lord High Chancellor of the realm, the University conferred upon him their highest office, and between 1610 and 1614 he was Chancellor. Egerton entered Brasenose at a time when Richard Barnes was Junior Bursar. This man had almost as celebrated a career in the Church as Egerton had in the Law. In 1561 he became Chancellor of the diocese of York, from which he was promoted six years later as Suffragan Bishop of Nottingham. Queen Elizabeth appointed him Bishop of Carlisle in 1570; and from 1577 to 1587 he was Bishop of Durham. Anthony Wood tells us that he was 'a favourer of Puritanism'.⁶

*Thomas
Egerton
and
Richard
Barnes,
1556.*

¹ A. D. Innes, *Cranmer and the English Reformation* (1900), p. 172.

² *Rep. Hist. MSS.* iv, p. 466, and Strype, *Memoirs of Cranmer*.

³ Wood, *Annals*, ii, p. 127.

⁴ *Ibid.* p. 143.

⁵ Buchan, *Brasenose College* (1898), p. 120. There is a portrait of this great lawyer in the College Hall.

⁶ *B. N. C. Reg.*

*Bene-
factions.*

The College not only continued to add to its list of celebrities, but it gained well wishers on every side who loyally supported it by grants and bequests. Thus Sir John Port, junior, in 1555 gave an annual rent of £3 from his property at Dale, in Derbyshire. Two years later Matthew Smyth, the first Principal, also bequeathed to the College certain property in Sutton, Lancs. Five years later still, his beneficence was imitated by Henry Fisher, of London, who gave amongst other things an exhibition of £2 13s. 4d. per annum.¹

*Sir Henry
and Sir
John
Savile.*

In 1561, Sir Henry Savile matriculated, and was a member of the College with his almost equally famous brother, Sir John. The first distinguished himself as Provost of Eton and Warden of Merton College; while the second became Baron of the Exchequer and one of the original members of the Society of Antiquaries.² Sir Henry was described by Aubrey as a 'tall and an extraordinary handsome man, no lady having a finer complexion'.³ He was esteemed 'the most learned Englishman in profane literature of the age of Elizabeth'.⁴ He also did much for printing, and the fame of his Greek matrices was not only confined to the University Press at Oxford.⁵

*The
election of
Thomas
Blanchard.*

'Johannes Hawarden aulae regiae et collegii de brasennose principalis,'⁶ died in the spring of 1564 $\frac{4}{5}$; and in February Thomas Blanchard, a Yorkshireman, was elected third Principal. As there was some difficulty in the statutes at this time the majority of the Fellows sent two of their number, Master Leche and Master Shepley, 'ad dominum Episcopum Lincolniae pro interpretatione.'⁷ It was during Blanchard's administration that Richard Harries, or Harris, then Junior Bursar, and J. Whytaces, M.A., were empowered to sell some small houses at Cold Norton,⁸ and thereby raise extra funds for the College. An entry for 1568 proves that on one piece of property, at any rate, the Bursar had one good tenant, for he allowed 'Symone Wysdom' to continue to hold his tene-

¹ Dr. A. J. Butler, *Account of the Benefactions bestowed upon the College*.

² This was in 1572. *D. N. B.* (1st edition), vol. 1, p. 371.

³ Buchan, *ut supra*, p. 121.

⁴ A list of his works is in the *B. N. C. Register*.

⁵ Madan, *Chart of Oxf. Printing*, p. 15.

⁶ V. P.'s Reg. A. 15.

⁷ *Ibid.* 16. b.

⁸ V. P.'s Reg. A. 56. b.

ments in Burford, as he had done since December 9, 1551.¹ This Simon Wysdome was a member of the celebrated wool-merchant family of that name, and was engaged in a considerable and lucrative industry during the greater part of the reign of Elizabeth.²

Under Blanchard's rule the College increased considerably in numbers, for there were in 156 $\frac{5}{8}$ one hundred and two names on the books. These included the Principal, thirty-one graduates, fifty-seven undergraduates, both scholars and commoners, eight poor scholars, and five matriculated servants.³ Some of the students of this period had afterwards interesting careers. Thomas Ashbrooke, of Lancashire, took his degree of Bachelor of Grammar on July 10, 1568, and is remarkable as being the last man to do so.⁴ In the same year Richard Rogers, formerly an undergraduate of the College, was appointed Suffragan Bishop of Dover, a position which was not revived until 1870. In 1570, Philemon Holland, the historian, who gained the praise of Fuller, Hearne, and Southey, matriculated at Brasenose, though he afterwards migrated to Cambridge.⁵

*Thomas
Ashbrooke
and
Richard
Rogers.*

About this time the College was very considerably enriched by certain gifts from numerous benefactors. In the first place, John, Lord Mordaunt, gave by will in 1571 the manor of Tip-tofts and Highams in Essex, and lands, to maintain three scholars called Mordaunt scholars. Secondly, Richard Harpur, of Swarkeston, left certain lands in Derby to found a Greek lectureship.⁶ And thirdly, Alexander Nowell, who had been an undergraduate of the College,⁷ and was destined to be its Principal, having ever the welfare of Brasenose at heart, not

*Bene-
factions.*

¹ V.P.'s Reg. A. 72.

² *Hist. MSS. Com. Rep. Var.* i, p. 54. Vic: County Hist: *Oxfordshire*, ii. 244.

³ Clark, *ut supra*, p. 272.

⁴ O. H. S. x, p. 8. Clark says Ash(e)brooke was the last man, 'but the degree, is mentioned in the lists of degree fees as late as 1602.' He also says he has 'found no trace of a "Master" of grammar'. This man, Thomas Ashbrooke, must not be confused with an earlier Brasenose man, ordained in the reign of Mary, 1553, and entered as 'Mag. Iohannes Ashebrooke socius Collegii Brasynnose Oxon. ad tm. eiusdem'. Vide W. H. Frere, *The Marian Reaction* (1896), p. 215.

⁵ A list of his works is in the *B. N. C. Register*.

⁶ Dr. A. J. Butler, *ut supra*.

⁷ Elected fellow in 1536.

only on April 20, 1565, procured from the Queen power for the College to hold an estate of £50 per annum,¹ but also in 1572 renewed the foundation made by Edward VI of a Free School at Middleton in Lancashire, appointing the Principal and Fellows of Brasenose College as Governors, and founding altogether thirteen scholarships in the College. 'These benefactions were both of them established by Royal Patent (her Majesty also of her free bounty encouraging and assisting him); he chose that the school should be called Queen Elizabeth's School, and the scholars, Queen Elizabeth's scholars.'² Many years later, Nowell wrote to Lord Burghley concerning the foundation, and said, 'My brother *Robert*, late attorney of her Ma^{ties} courte of wardes about vi houres before he dyed, said unto me: *Forget not Myddleton Schole and the College of Brasen-nose, where we were brought upp in our youth; and yf yow wolde procure any thynge to continue with my money, yow shall doe it beste and most surely in the Quenes Ma^{ties} name, whose poore officer I have bene. And uppon those woords I was occasioned to thinke of the fundation of Myddelton Schole, & of certen scholars to be chosen out of that schole unto the college of Brasen-nose, ther to be maynteyned with certen exhibition.*'³ It would be but mere repetition⁴ to state here the actual property that went to form the income of this munificent bequest.⁵

Quarrels
and
generosity.

Thomas Blanchard resigned, and on February 16, 1573, Richard Harris was elected fourth Principal.⁶ He had been Junior Bursar from 1566 to 1569 and Vice-Principal in 1572. A few months after his appointment there was some disturbance in the Senior Common Room, if such a term may be used, owing to a bitter quarrel on July 4 between 'Rodolphus Tompson',⁷ the Vice-Principal, and Clement Colmer,⁸ 'lecto-

¹ Dr. A. J. Butler, *ut supra*.

² Churton, *Life of Nowell* (1809), p. 199.

³ MSS. Burghley, lxxx. II, no. 48, dated on the back in pencil '1596'.

⁴ Dr. A. J. Butler, *ut supra*.

⁵ See the *Hoby Controversy*, p. 20.

⁶ In this year the arms of the College were officially recorded by Richard Lee, the pursuivant. Vide MS. H. 6, Heralds' College.

⁷ V. P.'s Reg. A. 67. b.

⁸ Clement Colmer again seems to be in trouble in December, 1579, but this time the charges against him are brought before Congregation. O. H. S. x, p. 41.

rem Dialecticae.' But though there may have been internal quarrels occasionally, the body of fellows seem to have worked together, and were ready to show generosity to any member of the College when it was possible. Thus, in 1575, it was unanimously agreed that Thomas Knollys, M.A., should have leave to travel into foreign parts for three years; and to assist him in this he was to be allowed five marks of the goods of the College because of the expense of travelling.¹ The College was evidently anxious to encourage learning by recognizing the merit of different individuals, amongst the most worthy of whom, at this time, was William Fleetwood of Lancashire, afterwards, for many years, Member of Parliament for London, and no mean historian.²

The Principal of Brasenose was at this time a very hot-tempered man, and possessed of a power of language which is in modern days associated with a celebrated fish-market. As a proof of this assertion, there is a record for the year 1580 of a most extraordinary and unseemly quarrel taking place between Principal Harris and the Vice-Chancellor, Toby Mathew, Dean of Christ Church. The story is narrated by Wood in his *Annals*, and, as an example of the manners of the period, worthy of quotation.

The Vice-Chancellor assaulted the Principal.

'I must now step back,' he wrote, 'and tell you of a minute controversy between two Heads of Houses, which though very inconsiderable in the beginning yet it bred a feud between their respective Colleges for several years after, and would have been much greater if it had not been corrected by public authority. You must understand therefore that the last year several Decrees being made for the orderly keeping of the Act,³ Dr. Mathews, Dean of Christ Church, who was this year Vicechancellor, resolved to see them severely observed and foreseeing some rudeness that was like to be done by the Juniors on Act Monday,⁴ kept the door lead-

¹ *Brasenose College Statutes*.

² Fleetwood wrote, among many other things, '*Annalium Ed. V, Ric. III, Henry VII and VIII.*' See *B. N. C. Reg.*

³ O. H. S. x, p. 85, 30 June, 1579 "quoniam nostra comitia scholarium et juvenum multitudine magnopere perturbantur", a committee was appointed to have "integram potestatem puniendi ejusmodi omnes qui graduatorum et peregrinorum loca in theatro praeripere audebunt".

⁴ Fixed on 4 March, 1568, as the Monday after the 7th July, and this was always adhered to except when there was plague in Oxford.

ing to the Scaffolds (built theatre-ways at the east end of the body of St. Mary's Church) in his own person. And among divers Academians that endeavoured to enter but were by him repelled, was Mr. Harris, principal of Brasenose College, who though a Head, and consequently had a place there, was with scorn (the Vicechancellor probably being in a passion) thrust down. Mr. Harris who was his senior in the University, taking it in great indignation, acquainted his friends and several of his Society with the affront, aggravating it also by telling them that it redounded to them also, and if they would not stand on his side he and they should be liable to the contempt of the Royal Foundation &c.

'On Wednesday after which was the 13 of July Mathews surrendered up his office of Vicechancellor, in a Convocation then held in S. Mary's chancel, which being done he went to his place and being there settled, Harris who sat a little below him, came out of his, and whispered him in the ear to this effect, "You do remember how you kept me down from the Stage the last day of the Act, wherein you showed your vile despite towards me—and therefore the Devil's . . . in thy teeth." Mathews being much startled at this, could not at present make any reply, but taking it as a great contempt cast upon authority sent his complaints to the Chancellor,¹ with the reason why and the very words that Harris said. So that he taking the said affront to himself sent his Letters to the Convocation that the members forthwith make reparation to Dr. Mathews. . . . Wherefore a Convocation being met . . . ordered a submission to be made by Mr. Harris.'² Whether he did so is not known, but it is hardly likely for Wood concludes by saying, 'Harris being of a high spirit, and his Fellows taking part with him, endeavoured to make it a public quarrel so that for several years after nothing but affronts and scuffles passed between them.'³

*The Batt
Letters.*

It was during this period that Brasenose had as a loyal son one Robert Batt, of Birstall, in Yorkshire. He matriculated on November 9, 1579, at the age of nineteen. The interest that is attached to his name is that he was a fairly prolific letter-writer from the College, and many of these have been preserved.⁴ The letters date from July 9, 1581, to February 10, 1584, and are for the most part written to his brothers Richard and Henry in Yorkshire, and Edward and William at Cambridge. They are interesting examples of what an undergraduate would write at that period, but they do not throw very much light upon the working of either the College or the University. In the first to Richard, the writer hoped that

¹ The Earl of Leicester.

² Ibid. p. 203.

³ Wood, *Annals*, ii, p. 202.

⁴ MS. Rawl. D. 985. Bod. Lib.

he would reply in Latin, but said that a letter of any kind would be most pleasing.¹ The reply which he received to this was distinctly bright, and there was an undercurrent of humour in the younger brother's remark that he did not wish by his letters to disturb his elder brother's grammatical studies.² The next letter came from Brasenose, where it is evident Robert has been progressing in his studies and receiving some flattery. He was much afraid that people would be disappointed in him, and asked 'what knowledge of great things, of the Liberal arts can be expected in an unskilled man'.³ The younger brother's letters are either not preserved or were never written, but Robert continued to write friendly missives to Richard on numerous occasions.⁴ The letter of October 28, 1582, is of considerable general interest as showing the prevalence of bubonic plague at that time; every one, however, seemed to be well in Brasenose.⁵ In the following year he renewed his correspondence with Richard, and spoke of the severe illness of their relative Stephen Waterhouse, which tempts the reader to wonder if he had been struck down by the general pestilence.⁶ The difficulty of sending letters is several times referred to, but it cannot have been so very extreme, as Robert wrote to his brother in Yorkshire at fortnightly intervals.⁷ In the letter of May 13, 1583, he stated that it was purely trivial and contained no news, but the answer to it was written very soon, and the younger brother, proud of his scholarly elder, said that he would rather receive his praise than that of the whole Roman forum.⁸ Other letters follow;⁹ but the most interesting is one in which he depicted the sorry state to which an undergraduate of the period might sink.¹⁰ He described himself as being without clothes and practically without food. He beseeched his brother to ask his parents to do something for him. This he had already mentioned to his brother Henry, where, in a very affectionate letter he appealed in a really pathetic way for assistance.¹¹

¹ September, 1581.

² September 26, 1581.

³ October, 1581.

⁴ December, 1581. September 14 and 17, 1582.

⁵ See Part II. Social Life.

⁶ May, 1583.

⁷ May 13, 1583.

⁸ May 30, 1583.

⁹ July 10, August 30, 1583.

¹⁰ November 15, 1583.

¹¹ January 8, 1583.

*The visit
of the 'Dux
Poloniae'.*

Letters were also exchanged between Robert and his brother Edward; and in the first,¹ there is something, but very little, about University life.² He was very humble in addressing this brother and spoke of him as being far more clever than himself.³ He dared, however, to ask him to come up and stay with him for Commemoration,⁴ and mentioned mutual Cambridge friends who were in Oxford at the time of the visit of the 'Dux Poloniae'.⁵ Only one letter has been preserved from Edward to Robert, and in it he referred to the grammar school at Bradford. Once, and once only, do we get an example of Robert's letter-writing to his brother William, but evidently he was a poor correspondent;⁶ and Robert was not tempted to write often. The one letter which exists,⁷ told William of the prospective arrival of the Earl of Leicester, who had long been Chancellor of the University.⁸

*Batt asked
for a
fellowship.*

Robert Batt's correspondence was not confined to his family, and some of the most important letters were written to his relative Stephen Waterhouse.⁹ He also wrote to Principal Harris calling him 'vir illustris et praeses dignissime', and 'vir ornatissime'¹⁰; and then complained that a junior man had been put in his study or 'musaeum'.¹¹ 'With Yorkshire bluntness',¹² he asked 'doctissimo viro Mr^o Broune',¹³ for Mr. Warynge's fellowship at University College, and in the same year wrote to Dr. James,¹⁴ Master of the College, for the same post. He brought forward three reasons for the fellowship being bestowed upon him. First, that he was in financial difficulties; secondly, that he was a Yorkshireman; and thirdly, that he felt that he could rely upon the kindness of Dr. James.¹⁵ He added a fourth reason in

¹ July 9, 1581.

² May 1 and August 8, 1582.

³ December 21, 1582.

⁴ June 14, 1583. Compare letter to Mr. Cooke, May 22, 1583.

⁵ Wood, *Annals*, ii, p. 215, says that he was a noble and learned Polonian named Albertus Alaskie who 'came to the court to see the fashions and admire the wisdom of the Queen'. Wood gives a full description of the visit.

⁶ July 9, 1581.

⁷ September 19, 1582.

⁸ He had been appointed in 1564.

⁹ August 31 and December 18, 1583, February 3, 1584.

¹⁰ Undated except for year 1581.

¹¹ Undated except for year 1581.

¹² Clark, *ut supra*, p. 260.

¹³ Undated except for year 1583.

¹⁴ Vice-chancellor in 1582.

¹⁵ Undated except for year 1583.

a second letter,¹ promising to be most diligent in his studies. Sometime later he wrote a still more pleading letter to the Master of University College,² saying that if he was not helped his affairs would collapse and he would have to leave the University altogether. He told Dr. James, with a certain amount of flattery, that if he gave him the fellowship, he could pursue his studies surrounded by a great multitude of most learned men. His main difficulty at this moment was to tide over the period of poverty until he obtained a post, and so he wrote to his 'avunculus charissimus'³ stating his wants. In August, 1583, Robert wrote to his brother Richard hoping that his fellowship at University College would soon be granted to him, remarking at the same time that he was diligently pursuing the study of Cicero.⁴ But apparently he was still uncertain about the post, for he wrote another letter to Dr. James, saying that he continued to hope, but at the same time feared. This letter is decidedly sad, and Batt concluded by pointing out that it would be a terrible blow to him if he had to leave Oxford.⁵ It is with distinct relief after perusing these letters,⁶ about his poverty and the fellowship, that we find that Robert Batt took his M.A. degree from University College on April 29, 1586;⁷ and proceeded to his B.D. degree in 1594.

The year in which Robert Batt proceeded to his M.A. degree, Brasenose College received a splendid benefaction from Mrs. Joyce Frankland.⁸ She was the daughter of Robert Trapps, citizen and goldsmith of London, a member of a Lancashire family which is still to be found in that county.⁹

¹ Undated except for year 1583.

² Undated except for the year 1583.

³ August 2, 1583. Another letter, the date of which is unknown.

⁴ August 30, 1583.

⁵ Undated except for the year 1583.

⁶ It is interesting to notice the different forms of address in these letters. They are :—ex Aeneanensi collegio; ex aedibus Aeneanasensibus; ex collegio Aeneanasensi; e collegio Aenei-nasi.

⁷ A probable contemporary of Robert Batt at Brasenose, was John Guillim, the herald, who matriculated about 1585 from the Cathedral School at Hereford. Published, in 1610, his *Display of Heraldrie*.

⁸ A full account of this benefaction is to be found in Dr. A. J. Butler's *Account of the Benefactions bestowed upon the College*.

⁹ Clark, *ut supra*, p. 192.

Joyce Trapps was twice married ; first, to a Mr. Henry Saxye, and had one son William ; and secondly, to a Mr. Frankland, about whom nothing is known. During the latter part of her life she resided at the Rye House, Stansted Abbots, Herts, or at her town house in Philip Lane, Aldermanbury. Her will was dated February 20, 1586, under which she was not only a great benefactress to this College, but also to Lincoln College, Oxford, and Emmanuel and Caius Colleges, Cambridge. At the same time she left money to the Free School in Beverley, to be controlled by the Principal and Fellows of Brasenose.¹ 'By the liberal encouragement held out in the statutes Mrs. Frankland's fellowship was incorporated as an integral part of the Society', of Brasenose College.² The executors of the will were to be Alexander Nowell, Dean of St. Paul's, and Thomas Smallman, of the Inner Temple. The latter did not live long, but, at any rate, seems to have survived until 1592, as in that year he paid £100 to the College.³ Joyce Frankland in her own name and in that of her son William Saxye also 'bequeathed some curious and very valuable articles of plate which was stolen not many years after "by breaking up of our treasure house",⁴ as the register notes, without further specification of the robbery'.⁵

*Difficulties
connected
with the
bene-
faction.*

There were evidently many arrangements to be made connected with the Frankland testament, because on November 4, 1588, Dr. Singleton and Mr. Cooke were sent by the other fellows to London, 'ad prosequendam causam inter executores Jocosae Frankland benefactricis nostrae beneficentissimae et collegium nostrum.'⁶ Again Singleton, who was then Vice-Principal, went to London on October 5, 1589, 'ad prosequenda negotia.'⁷ There were still further difficulties to be got over, as shown by an entry in the Register for February 11, 159³/₄, where it says 'septem socii seniores

¹ Churton, *Life of Nowell* (1809), p. 342.

² Ibid. p. 344.

³ Plate Book, pp. 17, 19.

⁴ Dr. A. J. Butler, *The College Plate*, says 'The Treasure House . . . was the room at the top of the Tower, in which the College chest was and still is kept'.

⁵ Churton, *ut supra*, p. 345.

⁶ V. P.'s Reg. A. 55.

⁷ Ibid. 56. b.

unanimi consensu causam quondam inter collegium nostrum et Doctorem Legge de bonis lectissimae feminae Jocosae Franklande per testamentum unum collegio nostro relictis tractandam et cum eodem Doctore Legge determinandam et . . . dam commendarunt M^{ro} Richardo Harries Principali, clarissimo viro D^{no} Alexandro Nowell ecclesiae Pauli Lond. decano et M^{ro} Thomae Singleton nostri collegii socio'.¹

Anthony Wood makes a passing reference to Mrs. Frankland, and says, 'She was so liberal a benefactor that her name hath been and is still repeated in the common grace² after meat in Hall, and the Society also have, in gratitude to her memory, erected a monument³ over her grave in St. Leonard's Church in Foster Lane, London; which monument was demolished (as I conceive) by the great fire that happened in London in Sept. 1666.'⁴

Mrs. Frankland's monument.

The College had now taken a high position in the University, which is well illustrated by the fact that Principal Harris was one of the Commissioners appointed to draw up the Statutes for the recently founded Jesus College. His

The position of the College.

¹ V. P.'s Reg. A. 65. b.

² Qui nos creavit, redemit et pavit, sit benedictus in aeternum. Deus, exaudi orationem nostram. Agimus tibi gratias, Pater Coelestis, pro Guilielmo Smith Episcopo, et Richardo Sutton Milite, Fundatoribus nostris; pro Alexandro Nowell et Jocosa Frankland, aliisque Benefactoribus nostris; humiliter te precantes ut eorum numerum benignissime adaugeas. Ecclesiam Catholicam, et populum Christianum custodi. Haereses et errores omnes extirpa. Edwardum Regem nostrum et subditos ejus defende. Pacem da et conserva per Christum Dominum nostrum.

³ There are two pictures in the College of this noble benefactress. On the best known are these verses:—

'Trapsi nata fui, Saxy sponsata marito,
Guilelmo mater visa beata meo,
Mors matura patrem, sors abstulit atra maritum,
Filius heu rapida morte peremptus obit.
Parca quid insultas? quasi nunc effeceris orbam?
En ego multiplici prole beata magis.
Me namque agnoscit studiis Domus aenea matrem,
Prole sua semper nobilitata domus;
Digna domus meritis, et laeta et grata patronae:
Sola mea est soli laus placuisse Deo.'

Anno Dom. 1586, aetat 55.

⁴ Wood.

presence 'probably accounts for the fact that the new Statutes were framed upon the model of the Brasenose Statutes'.¹ At the same time some undergraduates who afterwards earned reputations in the world were in residence. Richard Cromwell, of Huntingdonshire, who matriculated in 1587, was afterwards Member of Parliament for his county in 1598.² Some years later there was another Cromwell, Philip by name, who entered the College in 1592.³ Between 1589 and 1592 Richard Barnfield was an undergraduate at Brasenose. He was only fifteen years of age when he matriculated, and was probably rusticated, but allowed to return. 'He was a poet with a peculiarly sweet and true lyrical gift, and some of his pieces had the rare honour of being for long attributed to Shakespeare.'⁴ His first book, *The Affectionate Shepherd*, dedicated to Penelope, Lady Rich, was published in 1594: followed in the next year by *Cynthia*, and in 1598 by *Poems in Divers Humours*. He died in 1627 at Stone, Staffordshire.⁵

Robert
Burton.

William Burton matriculated in 1591, and was therefore contemporary with Barnfield. He was a prolific writer, but never won the fame that was acquired by his brother Robert, who entered the College two years later.⁶ Robert Burton⁷ was the second son of Ralph Burton of Lindley, and was born in 1577. His notoriety to a large extent rests upon his *Anatomy of Melancholy*,⁸ published in 1621; although he had many years previous written a Latin Comedy,⁹ which was acted at Christ Church before Lent in 1606. 'He is recorded

¹ Clark, *ut supra*, p. 367.

² *Oxf. Mag.* ii. 161.

³ *Ibid.*, and *Fasti*, i. 281.

⁴ Buchan, *ut supra*, p. 45.

⁵ *B. N. C. Register*.

⁶ This year, 1593, is also marked by Charles Langford's gift of £8 per annum for two Exhibitioners.

⁷ There is a portrait of him in the College Hall.

⁸ The full title of the work is worth recording: *The Anatomy of Melancholy, What it is: With all the Kinds, Causes, Symptomes, Prognostickes, and several Cures of it. In Three Maine Partitions with their several Sections, Members, and Subsections, Philosophically, Medicinally, Historically, opened and cut up. By Democritus Junior. With a Satyricall Preface conducing to the following Discourse: Macro. Omne meum, Nihil meum.*

⁹ Privately printed by Rev. W. E. Buckley of Middleton Cheney, for presentation to the Roxburghe Club.

by his contemporaries to have been "very merry, facete and juvenile" and to have specially excelled in "larding" his discourses with verses from the poets.¹ Bishop Kennet tells of an amusing characteristic of this extraordinary man. 'Whenever he fell into despondency he could only get relief by going to the bridge-foot at Oxford and hearing the barge-men swear at one another, at which he would set his hands to his sides and laugh most profusely.'² He died in 1640 and was buried in the Cathedral of Christ Church,³ with which he had so long been connected as a student.

The great event of the year 1592, in Oxford, was the visit of Queen Elizabeth.⁴ The Committee to make arrangements for this unusual honour contained the names of Mr. Harris, Principal of Brasenose, who was 'appointed to frame & oversee the stage in St. Maries'; of Mr. Singleton, then Vice-Principal and Senior Bursar, 'to see the streets well ordred and prepared'; and of Mr. Colmer 'to oversee the exercises'.⁵ The Colleges were to be rated for a contribution to the charges,⁶ and it is evident from the *Bursars' Rolls* that a very heavy sum fell upon Brasenose. The Queen arrived on September.22⁷ and visited the different Colleges, and amongst them Brasenose, to which a stupendous bill was sent in by the bakers and brewers.⁸ The money to meet this unusual expenditure had, apparently, to be borrowed on promise of repayment 'ad certos dies'. Robert Batt, now of University College, wrote a Latin poem to commemorate this famous visit of the Virgin Queen.⁹

Previous to the seventeenth century the election of the Proctors was not the simple matter that it is now; and as it was done in Convocation it marked the importance of both

*The visit
of Queen
Elizabeth.*

*The elec-
tion of
Proctors.*

¹ Wells, *Oxford and its Colleges* (1897), p. 180.

² Quoted by Buchan, *ut supra*, p. 124.

³ On his bust is the immortal epitaph composed by himself: 'Paucis notus, paucioribus ignotus, hic jacet Democritus Junior, cui vitam dedit et mortem Melancholia.'

⁴ She had also visited Oxford in August, 1566. O. H. S. x, p. 234.

⁵ O. H. S. x, p. 230.

⁶ Ibid.

⁷ Wood, *Annals*, ii, p. 250.

⁸ *Bursars' Rolls*, 1592, 'diversis pistoribus et brasiatoribus pro pane et potu.'

⁹ MS. Rawl. D. 985. Bod. Lib.

the man and his College.¹ In 1594 there was a most unseemly disturbance about the election, but eventually Henry Foster, or Forster, of Brasenose, was chosen with Mr. Cuffe of Merton College. The scene described by Wood certainly had a humorous side, though the want of dignity displayed is surprising when viewed with modern eyes. The two Proctors were 'carried to their respective Colleges in chairs on the Masters' shoulders with great acclamations and ringing of bells'.²

'Sir
Edward
Hoby Con-
troversy.'

Of all the years in the history of Brasenose College, during the Tudor epoch, that of 1595 is perhaps the richest in material though by no means in interest. In the early months of 1595 the Principals and Fellows were very busy in trying to bring to a satisfactory conclusion what may be called the 'Sir Edward Hoby Controversy'. The whole story is laid out in a document³ written at the command of the Principal and the Fellows, and sent (probably) to Sir Robert Cecil, one of her Majesty's Privy Councillors.⁴ The College says:

'The old school of Myddelton, co. Lancaster, where Alexander Nowell, Dean of St. Paul's, and his brethren were taught in their childhood, for the smallness of the stipend of the schoolmaster being almost forsaken, the Queen's Majesty, at the humble suit of the said Dean, founded there her free school, by the name of Queen Elizabeth's Free School in Myddelton, co. Lancaster, and gave unto the same £20 yearly, out of the cathedral church of St. Paul in London, for the stipends of the schoolmaster and usher: and her Highness appointed thirteen her scholars to be chosen out of the same school unto the King's Hall and College of Brasenose, in Oxford, where the said Dean and his brethren were brought up in their youth, unto which college her Majesty annexed the school and made the principal and fellows of the said college governors of her said free school in Myddelton.'⁵

¹ The Brasenose men who were Proctors during this period were: 1549 Leonard Lyngham; 1561 Oliver Wythington; 1566 William Leech; 1568 James Charnock; 1578 Clement Colmer; 1582 Robert Cooke; 1585 Thomas Singleton; 1594 Henry Foster; 1598 Edward Gee; 1601 Gerard Massey.

² Wood, *Annals*, ii, p. 258.

³ *Rep. Hist. MSS.* xlvi. 533. An old copy of this document is also in the College muniment room.

⁴ Robert Cecil, first Earl of Salisbury, 1563?-1612.

⁵ Dr. A. J. Butler, *ut supra*, gives a full account.

‘The said Dean purchased of the Lord Cheyney, in reversion the manor of Upburie¹, and rectory of Gillingham . . . gave the same after to her Majesty. . . . The Queen gave the said manor and parsonage unto the said college for the exhibition of her thirteen scholars, and to the further amendment of the stipend of the schoolmaster and usher . . . and to the increase of the commons of the said principal and fellows, who had before by their first foundation but 14^d. apiece weekly.

‘And for that the said Lord Cheyney survived sixteen years after . . . the said Dean maintained six of her Majesty’s new scholars . . . which besides the former purchase did stand him in £300 and more.

‘And further, for that the old school house was very little and uncomely . . . the said Dean hath caused a fair large school house . . . to be builded . . . whereon he bestowed the sum of £180, which, with the purchase and finding of her Majesty’s scholars during my Lord Cheyney’s life cost above 2000 marks.

‘The Lord Cheyney . . . had made a lease of the said manor and rectory unto one Peter Rowle, which lease is . . . come into the hands of Sir Edward Hobie knight², and the lease is charged with the yearly rent of 5 marks in money, and eight score and eight quarters of sweet straw-dried malt, to be [paid at] Christmas and Midsummer. . . .

‘Sir Edward Hobie denyeth to pay any such rent, for that the college, being a body incorporate hath no hands, as he saith. He doth also allege that the said Dean is to have some benefit of the said rent malt, as a cause why he ought to pay no such rent.

‘For that the said Dean hath been enforced by these charges to lay out £200 of Edward Blount, his child’s portion being in his hand; which sum . . . to be paid out of the said manor . . . Sir Edward Hobie allegeth that also as a cause why he ought not to pay. . . .

‘And although the Dean and College were humble suitors at divers times for the space of two years and more first unto the Lord Treasurer³, the Lord Admiral⁴, the Lord Chamberlain, Sir Edward Hobie’s nearest and dearest friends, that some reasonable order might be taken . . . yet Sir Edward would not stand unto their order but would have the matter tried by law, that he might by long delay still enjoy the fruits of the said manor . . . without payment of rent.

‘The said Dean and College . . . were obliged to make like humble suit

¹ Upberry and Gillingham are in Kent. The College possesses a large number of documents referring to these places; they may be found in Hurst’s Calendar.

² Sir Edward Hoby, 1560–1617; educ. Eton and Trinity Coll., Oxford; knighted 1582; M.P. for Queenborough, Berkshire, Kent and Rochester; a patron of Camden and a favourite of James I.

³ William Cecil, Lord Burghley, Lord High Treasurer 1572–98.

⁴ Lord Charles Howard of Effingham, Lord High Admiral 1585–1618.

unto the Privy Council. . . . Their lordships referred the cause unto the judgement of the Lord Chief Justice¹ and of the Master of the Rolls², that now be . . . who . . . returned their opinions . . . that . . . the said rent malt with the arrearages were to be paid . . . which . . . came at that time to the sum of 700 marks. . . . Sir Edward . . . would still have the cause tried by law only.

‘But the said Dean and College being wearied . . . thought it best jointly to make . . . complaint unto her Majesty . . . whereupon her Majesty committed the hearing of the cause to the Lord Archbishop of Canterbury³, the Earl of Essex⁴ and the lord Buckhurst⁵. . . .

‘And when Sir Edward made delays and excuses their lordships directed letters . . . unto him . . . yet did he as before make continued excuses . . . and kept those of the college who did follow the suit in attendance in London and in the time of progress above a year.

‘During which long time, though the lords did take great pains to bring Sir Edward to some reason . . . yet he would not agree. Wherefore they set the college at liberty to seek their best remedy by law or otherwise. But when the College had brought their action in the Court of Common Pleas at Westminster . . . he . . . refused to appear. And when for the lack of appearance he was at the point of outlawry, one Webb appeared as attorney, and . . . denied . . . that he had any warrant so to appear, and so has quite overthrown their long and chargeable suit in law. By means of all which . . . the college is now greatly impoverished. . . .

‘Whereupon the said Dean and College shall be once again enforced to make their most humble supplication to her Majesty that the arrearages now 800£ may be satisfied according to her former commandment . . . and if that . . . may not be had, then that it might please her Majesty to command the said Sir Edward to appear to an action for the arrearages. . . .’

*Letter from
Alexander
Nowell.*

It is probably to this document that Alexander Nowell referred when he wrote on April 15, 1595:

‘Understanding by my Lord Archbishop of Canterbury that your Honour⁶ did wish some good end to be made between Sir Edward Hobie and the College of Brasennose, I, who have been a dealer for the college to my utter impoverishing would gladly have attended upon you, had I not been both very weakly and sickly by reason of extreme age,

¹ John Popham, Lord Chief Justice 1592-1607.

² Thomas Egerton, see p. 7.

³ John Whitgift, Archbishop 1583-1604.

⁴ Robert Devereux, second Earl of Essex, 1566-1601.

⁵ The Chancellor of the University since 1591.

⁶ Sir Robert Cecil.

and also feared that in so great multitude of your most weighty affairs, I might come out of time. Wherefore I thought it best to declare the state of the cause in writing which may stay your good leisure.’¹

It is evident that Cecil must have informed Hoby that he had obtained full information on the subject, but the knight determined to ‘bluff’ the matter, and wrote to Cecil on April 30 :

‘For answer to your letter which I received this evening, I perceive the D[ean of St. Paul’s] still exclaimeth that he can have no end, which my Lord of Canterbury knoweth contrary, for I have heretofore, almost more earnestly than became me, pressed both his Grace and my Lord of Buckhurst with the bag in my arms to have their orders performed, but their lordships could not draw the D[ean] to it . . . and surely they cannot justly lay to my charge any delay for at midsummer I sent my money to Oxford (though refused), according to the order to which I have the college hand to agreement, who but for Mr. D[ean]’s wilfulness, and one Singleton his creature, stand very well satisfied.’²

By May, 1595, the College had become really impatient and refused to be put off any longer by the specious words of either Hoby or the Archbishop. For this reason Nowell wrote on May 12 to Sir Robert Cecil, and said :

The College took definite action.

‘Both I and they of the college finding my lord of Canterbury unwilling to deal any more in the cause between Sir Edward Hoby and the college . . . we certified his Grace that the college should be enforced to enter their articles before this term be ended, else they shall lose the whole benefit thereof; which yet they would not do if Sir Edward . . . could be brought to any reasonable order . . . and not to frustrate the college by not appearing and other more strange shifts as hitherto he has done by the space of five years and more, in which time he hath paid no rent . . . so that he owed the college now above 800£. Yet the college had rather . . . have the half thereof than seek the whole by long and chargeable suits in law, which both the college and I do protest for our true excuse against all surmises that we will no way but law.’³

¹ *Rep. Hist. MSS.* xlvi, p. 172. The letter is signed by ‘Alexander Nowell’. Further documents of this character may be seen in Buchan, *ut supra*, pp. 165-9.

² *Rep. Hist. MSS.* xlvi, p. 193. A holograph ‘From her Majesty’s castle of Queenborough, late this last day of April, 1595’.

³ *Rep. Hist. MSS.* xlvi, p. 203. Signed by ‘Alexander Nowell’.

*Sir
Edward
Hoby gave
way.*

At last Sir Edward Hoby wrote on May 23 to Sir Robert Cecil agreeing to a conference. 'I hold it my ill-fortune still to be troubled with these clergy clamours in my absence. . . . For their proceedings which they seem for your sake to make stay of, I beseech you to be no whit beholden to them for it. If you have not already, send to Harris the Principal of Brasenose, or to the Dean . . . to attend the conference.'¹

*The agree-
ment
between
Hoby and
the
College.*

The much desired conference took place on June 6, 1595, when an agreement was drawn up by the intervention of the Archbishop and Sir Robert Cecil. Sir Edward Hoby gave his assent on the one side, and Alexander Nowell, on behalf of the College, on the other. Hoby covenanted to pay up his arrears; first £86 13s. 4d. at or before July 10; secondly, £60, upon or before November 27; and thirdly, £60, at or before November 27, 1597. At the same time he promised to pay for his malt rates £83 on July 10; and another £41 later. It was also agreed that Sir Edward was to continue his lease paying 5 marks per annum, and malt rent at the rate of 10s. a quarter. He, his heirs and assigns were to be liable for the repair of the chancel of Gillingham Church; and all payments were to be made to two or three persons, appointed by the College, in the Hall of the Middle Temple, 'near the city of London'. If everything was paid off by November, 1597, Hoby was to have a receipt and quittance. If, however, he failed to carry out his part the agreement were to be null and void, and the 'Principal and scholars can seek by all lawful means' to obtain their dues. It was further stated that the agreement should be registered in the books of the Privy Council.²

¹ *Rep. Hist. MS.* xlviij, p. 216.

² The college possesses a (probably) contemporary copy of the agreement with the signatures obviously written by the copyist. The witnesses were: Whitgift, Cecil, Hoby, Nowell, Harris, and Blount. It is curious that on the next day (June 7) Hoby wrote to Cecil, 'Brasenose knoweth I have goods and chattels and will not fly . . . P.S. I cannot be permitted by my jailor to write to Winefrid [cf. *Rep. Hist. MSS.* xlviij, p. 533], I beseech you answer for me to her, and let her know what is become of me. I assure you I am a true man to her peradventure.' *Rep. Hist. MSS.* xlviij, p. 236.

So ended, practically speaking, the Hoby Controversy, though there were in future years occasional squabbles and bickerings about the method of payment. All through the weary case the College had been deeply indebted to the faithful 'venerabili viro Dño Alexandro Nowell, Decano Ecclesiae Cathedralis divi Pauli London., unum virum probum'.¹ *The end of the controversy.*

Alexander Nowell was elected Principal of Brasenose fifteen days after the resignation of Richard Harris, which took place on August 22, 1595. He was now on the verge of ninety, and the election 'was perhaps intended or accepted rather as a compliment than with a view to the performance of much actual service'.² He was born either in 1507 or 1511. Wood says, 'He was thirteen years when he came to the College [elected fellow in 1536], he gave thirteen places, and he died on the 13 Feb.,³ on which day he is commemorated by the Society.'⁴ Fuller speaks of him as 'a man of most angelical life';⁵ while Izaak Walton wrote that he was noted for 'his meek spirit, deep learning, prudence, and piety'.⁶ In 1553 he was elected a Member of Parliament, but was refused by the House of Commons as being in Orders.⁷ During Queen Mary's reign he resided principally at Frankfort, but returned to England on the accession of Elizabeth. He was appointed Dean of St. Paul's in 1560, and did much for the restoration of Protestantism. *The election of Alexander Nowell.*

¹ V. P.'s Reg. A. 63, 1593; cf. O. H. S. x, p. 142, where it said that on the 10 June, 1578, Alexander Nowell, twenty years a student in Theology, supplicated for his D.D. without performing the exercises; 'quod partim reipublicae et ecclesiae negotiis ita districtus sit ut exercitia omnia quae ad eum gradum statutis requiruntur commode obire non possit'; cf. p. 235, where it said that Nowell was presented and created D.D. on October 1, 1595, 'pileo indutus, annulo insignitus, et libro donatus.'

² Churton, *Life of Nowell* (1809), p. 325.

³ His epitaph says: 'Coll. Aenei Nasi, Oxonii, ubi ab anno aetatis 13, annos 13 studuit.'

⁴ Quoted by Buchan, *ut supra*, p. 20.

⁵ *Church History*, bk. x, sect. x.

⁶ Walton, *The Complete Angler* (edition 1832), p. 74.

⁷ The constitutional importance of this is considerable; cf. Hallam, *Constitutional History of England*, i, p. 275.

As Prolocutor of the Lower House of Convocation, he presented, in 1562, a catechism for its approval. Walton asserts, 'the good old man . . . knowing that God leads us not to heaven by many, nor by hard questions, like an honest Angler, made that good plain unperplexed Catechism which is printed with our good old Service-book.'¹ As a matter of fact Nowell seems to have been the author² of three catechisms, the *Large*, the *Middle*, and the *Small*, the last with alterations being adopted for the *Book of Common Prayer*.³ There can be no doubt that the worthy Dean inclined towards Calvinism, though he loyally complied with Elizabeth's ecclesiastical settlement. As has already been shown, he was a very liberal benefactor of Middleton School and Brasenose College, particularly giving up time and energy for the welfare of the latter. Walton⁴ says that 'he was well content, if not desirous that posterity should know that he was an Angler as may appear by his picture⁵'. The portrait referred to hangs behind the high table, and shows at the top of the canvas the old Principal's rods hanging on two hooks. Churton⁶ remarks, 'here having mentioned his attachment to

¹ Walton, *ut supra*, p. 75.

² *Dict. Nat. Biog.* (edition 1), xli, p. 243.

³ Compare Fuller, *Church Hist.*, bk. x, p. 14. Nowell's most famous catechism was the *Large*, drawn up by the request of Cecil, and approved by Convocation, but not by Parliament. Cf. Strype, *Life of Parker* (ed. 1711), p. 202, 'He was put upon making his Catechism by some great persons . . . to stop a Clamour . . . that the Protestants had no Principles. And the Convocation . . . approved and allowed it as their own Booke and owned Doctrine. And when Mr. Dorman . . . reflected upon the Learning . . . of Nowel and charged him for some upstart Preacher . . . he spake thus in his own Vindication: "That he had endured sundry Years, both in his Country and Exile, reading, not scattered Scraps of old overworn Hereticks . . . but the whole Body of the Holy Scriptures . . . he was a Preacher fifteen years ago . . . yea and had preached in some the notablest Places and Auditories in this Realm before he went out of his Country."'

⁴ Walton, *ut supra*.

⁵ On this picture is the following inscription :—

ALEXANDER NOWELLUS, Sacrae Theologiae Professor,
S. Pauli Decanus, obiit 13 Febr. Anno Dom. 1601. R. R. Eliz. 44.
An. Decanatus 42. Aetatis suae 95; cum neque oculi
caligarent, neque Aures obtusiores, neque Memoria
infirmior, neque Animi ullae facultates victae essent.
Piscator Hominum.

⁶ Churton, *ut supra*, p. 80.

the honest and quiet art and recreation of angling, with which Augustus used to relieve the cares of empire, one circumstance connected with it must not be omitted. Having either accidentally, or by design (for the accounts vary) left in the grass or buried in the ground, a bottle of ale, he found it again after some time "not a bottle but a gun such the sound of it when opened". And this (as casualty, says Fuller,¹ is the mother of more inventions than industry) is believed the original of bottled ale in England.' This excellent old man only remained Principal of the College for about three months, for he resigned in December, 1595. He lived on for some years until he passed away at a ripe old age on February 13, 160 $\frac{1}{2}$. A monument was raised to his memory, which was in existence when Walton wrote 'his monument stands yet undefaced'²; but it was unfortunately destroyed by the great fire in 1666.³

Nowell's successor, Thomas Singleton, had long been connected with the College, and had held the offices of Vice-Principal and Senior Bursar on many occasions.⁴ He was elected Vice-Chancellor of the University in 1598-9, and again held that office for three years between 1611 and 1614.

The troublous times of the Reformation had been safely passed through, and Brasenose College had weathered the storm. The College history displays no very peculiar or distinctive features during this period. A contemporary says that University life showed 'modesty, taciturnity, obedience and zeal for study'⁵; yet Wood's lament over the University as a whole would probably apply equally well to this College in particular. That there was very little hard work is practi-

The election of Thomas Singleton.

Conclusion of Part I.

¹ Fuller, *Worthies*, p. 115.

² Walton, *ut supra*, p. 74.

³ The inscription on Nowell's monument is preserved in Stow's *Survey* (edition 1633, p. 362; cf. Athen. Oxon., p. 313). An engraving of the monument is in Dugdale's *History of St. Paul's Cathedral*. For further mention of Nowell, cf. Dr. Whitaker, *History of Whalley*, p. 482, and *Towneley Nowell MS.*

⁴ *B. N. C. Reg.*, 1588-94. While Singleton was Senior Bursar, Miles Smith, afterwards translator of the Bible, took his D.D. on June 19, 1594, having given 'sex solennes lectiones'.

⁵ O. H. S. viii, p. xi.

cally a certainty, but the minds of thinking men, at any rate, were filled with far greater questions than disputations on Aristotle. The College turned out men fairly well grounded in the classics, who became great churchmen, great lawyers, great historians, and, above all, good citizens in those spacious days of Queen Elizabeth.

PART II

BRASENOSE COLLEGE SOCIAL LIFE

1547-1603

THE appearance of Brasenose College during the Tudor period was very different from that familiar to all University men of modern times. The old quadrangle had not the quaint windows and upper story that were destined to be added in the reign of James I. No spacious dome of the Radcliffe Library towered above the old gateway, which was then the commanding feature of the College, and formed the lodgings of the Principal. Where now there is the Radcliffe Square there were many buildings divided from the College front by the 'vicus scholarum' or 'vicus scholasticus'.¹ Among these old tenements were Glasyn Hall and Staple Hall; the latter passing into the hands of the College on November 2, 1556, when leased by Lincoln College to Brasenose for ever at a rent of 20s. per annum.² Besides these, to use the words of contemporary description, 'att the west end of St Marie's church wee see the East side of Brasen Nose Colledge . . . opposite to Brasen Nose, there are two old Halls, Black Hall and White Hall now in their tenure and serving for their use.'³ The first of these halls is mentioned in the Vice-Principal's Register in 1556.⁴ Where now the modern chapel stands there was little St. Edmund's Hall, which was used for undergraduates' rooms throughout the sixteenth century.⁵ Behind the present

¹ O. H. S. xv, p. 83.² Clark, *ut supra*, p. 257.³ O. H. S. viii, p. 99.⁴ V. P.'s Reg. A. 72. b.⁵ V. P.'s Reg. A. 75. 'M^r Henricus Slocumbe admissus fuit per principalem in cameram vocatam parvam aulam Edmundi.'

old quadrangle the grove of Lincoln College is contiguous, and the two colleges are connected by a door;¹ but in Tudor times an ancient pathway divided the two properties and had its outlet in St. Mildred's, or as it is now called, Brasenose Lane. Such, then, were the immediate surroundings of the College during the whole of the period 1547-1603.

*The
College
Register
and
Statutes.*

When the undergraduate first presented himself at Brasenose College, in the reign of Edward VI, no question would be asked about his income, because he was 'filius aut consanguineus nobilium et magnatum'.² But by a rule of June 4, 1549, he would have to enter his name in the College books, for according to the Vice-Principal's Register, 'convenit inter principalem et 6 socios seniores quod quilibet scolasticus in aedes nostras ingressus statim nomen suum in hoc volumine inscribendum curet sub poena ii^s'.³ University life at this time was said to be entirely out of order and so generally disturbed, that fresh statutes were enacted for its better governance, and these *Edwardine Regulations* continued with additions and alterations until the celebrated enactments of Archbishop Laud.⁴ Nevertheless, the College itself had a strict code of law for the guidance of its students. Every one was compelled to have a tutor, and after August 18, 1576, the tutor must be one of the Fellows, and the undergraduates must not pass from one to another.⁵

*Poverty of
under-
graduates.*

Wood affirms that about 1551 all the colleges became 'the receptacles of poor religious people turned out of their cloisters'.⁶ The Brasenose records, however, are not sufficiently minute and complete, at this period, to say whether the College did extend the hand of charity to the numerous educated poor who had been expelled by a rapacious and greedy government. It is not until 1562 that any mention of an unusual type of scholar occurs; but in that year John Hepethe is mentioned as being non-resident.⁷ Two years later there is the

¹ Opened on Ascension Day every year, when the bounds are beaten.

² Buchan, *ut supra*, p. 40.

³ V. P.'s Reg. A. 2. b. This was first done on June 24, 1549.

⁴ Wood, *Annals*, ii, pp. 95 and 100.

⁵ V. P.'s Reg. A. 40.

⁶ Wood, *ut supra*, p. 110; cf. Ditchfield, *The Old-Time Parson* (1908), pp. 98-9.

⁷ *B. N. C. Reg.*

first reference to 'pauper scholaris',¹ and from that moment this kind of student was well known in every college. That many students were really desperately poor is seen from the Batt Letters;² and also from the entry in 158 $\frac{6}{7}$ that Thomas Davies had to leave because 'from poverty he could not stay longer in the University'.³ It would be almost impossible to say what was the ordinary allowance of an undergraduate. Many of them had practically nothing, and had to eke out their livelihood by teaching and by service. Even the sons of wealthy men often had no more than £30 per annum to pay for travel, clothes, food, lodging, and tuition. In one instance, however, a far larger sum was allowed, for in 1559, the father of James Bisse was ready to give him £100 per annum.⁴

Out of a small income room-rent must have been a very great strain. What the actual rent was in early times it is difficult to say, but on May 11, 1596, the best room in Staple Hall, then part of the College, was let at 20s. per annum; the smaller rooms at 10s. each.⁵ The furnishing of these rooms must have been very simple, and probably lacking in all comfort. The top floors were probably broken up into dormitories, and in these two undergraduates were often forced to share a bed; while at the same time there seems to have been no chance of a morning bath. The College rooms must have been distinctly uncomfortable in the period previous to Queen Elizabeth, for Nowell records that in 1572, as 'the lower chambers of the college were dampeshe and unholosome beyng unboarded, I caused the same throghly to be boarded, which cost about XL^{li}'.⁶

Lectures were held in the Hall, at any rate after 1571, when Richard Harpur laid down in his bequest that Greek Grammar and authors should be discussed there three days a week.⁷ It is very evident that fires, even in this common meeting-place, were rare, for Harpur also left two shillings and sixpence for special fires on St. Andrew's Day.⁸ Even then

¹ *B. N. C. Reg.* The college was founded as 'perpetuum Collegium pauperum et indigentium scholarium'.

² Compare p. 14.

³ V. P.'s Reg. B. 6.

⁷ Dr. A. J. Butler, *ut supra*.

³ *B. N. C. Reg.*

⁴ Ibid.

⁶ MSS. Burghley, lxxxii, no. 48.

⁸ Ibid.

there was a strong tendency to 'cut' lectures, which was punished by fine; and in December, 1599, some Brasenose men got into serious trouble on this account. The authorities informed them that they had taken an oath (probably at the time of their matriculation) to attend this essential part of university education, and that by their non-attendance they were guilty of the serious crime of perjury. These 'scholares facultatis artium' supplicated for indulgence 'pro absentia a scholis suis'; their plea being 'audiendi neglectum obligare ad poenam tantum, non ad perjurium'.¹ The undergraduate of the sixteenth century had weekly lectures on theology, and twice a week on logic; he had also 'his lectures on Rhetoric to attend and the works of Aristotle, Cicero and Quintilian to study. He had a certain smattering of grammar and philology to acquire from the works of Priscian, or Linacre, or some such approved authority. A little geometry, the rudiments of the Greek language, and a certain course in moral philosophy based on the Ethics and Politics of Aristotle, made up the whole of his possible studies.'² The lecturers themselves did not always show any very keen desire to give their lectures, and in 1572 it was decided that if the Greek lecturer failed in his duty, the Bursar was to deduct 12*d.* from his stipend for every occasion.³ There is a similar complaint of laziness, mentioned by Wood ten years later, when he remarks that the tutors showed little or no interest in the undergraduates.⁴

It must also be allowed that the students of the sixteenth century were not remarkable for their readiness to learn. This fact is partly illustrated by the windows of the first Brasenose Library⁵ facing north and south, and not east and west, so as to catch the light. The library itself did not contain very many books during the period, and it may possibly have suffered 'the Great Pillage'⁶ of 1550, when nearly all college libraries lost many of their treasures. Even if it escaped this

¹ O. H. S. x, p. 10.

² Buchan, *ut supra*, p. 44.

³ Dr. A. J. Butler, *ut supra*; cf. also O. H. S. x, p. 100. Dispensation for the Music Lecture, granted to Robert Brooke, Brasenose, because 'nulli solent interesse auditores'.

⁴ Wood, *Annals*, ii, p. 212.

⁵ On No. IV Staircase.

⁶ The name given to the period by Dr. Augustus Jessopp.

danger it must undoubtedly have been forced to give up its English Bibles when Cardinal Pole visited the University in 1556.¹ The first man to leave any books to the 'liberay' of the future College was Edmund Croston, late Principal of Brasenose Hall in 1508.² This gift was handsomely supplemented by Bishop Smyth out of his own collection.³ Hugh Oldham, Bishop of Exeter⁴ in 1511, is supposed by Wood to have given some books, or at least contributed to the furnishing of the library, in the windows of which his coat of arms was emblazoned. John Longland, Bishop of Lincoln,⁵ added to the growing collection, which was much assisted in 1547 by the bequest of John Booth, Canon of Hereford.⁶ In 1587 Richard Barnes⁷ bequeathed £20 to the College to purchase books. And by the will of Alexander Nowell⁸ the library was enriched by 'the thirteen centuries of the Ecclesiastical History begun at Magdeburge, and the great Greek Lexicon of Henry Stephanus, in three volumes, strongly bound and armed, and all the History of Martyrs written by Mr. John Foxe, in ten volumes of the best paper and fair bound'. It was not, however, until the next century that the scholars of the College really had a fine collection of works to which to go for their studies, and for which they had to thank the generosity of Henry Mason, whose gift was valued at £1000.

Before an undergraduate could proceed to his degree, a *Length of Residence* certain period of residence was necessary. Sometimes dispensations were given for this. Thus William Fleshware, who was appointed a Fellow of the College on April 14, 1576, did not take his B.A. degree until January 15, 1577.⁹ But even then he had to obtain in the previous December a dispensation for three terms, the reason stated being that as he was a Fellow 'it will be to his great advantage to take his degree'.¹⁰

¹ Wood, *Annals*, ii, p. 132.

² Dr. A. J. Butler, *ut supra*.

³ Buchan, *ut supra*, p. 90.

⁴ Dr. A. J. Butler, *ut supra*.

⁵ Buchan, *ut supra*, p. 90.

⁶ Dr. A. J. Butler, *ut supra*.

⁷ Ibid.

⁸ Churton, *ut supra*, pp. 420-5.

⁹ *B. N. C. Reg.*

¹⁰ O. H. S. x, p. 17. For the disputations which took place in Lent, cf. O. H. S. x, p. 54, where it is said that in 1548 the 'scholares' of Brasenose are to observe the days of determination 'juxta ordinem classis'. There are many examples of dispensation, e. g. O. H. S. x : p. 17, February 22, 1598, Robert Moore of Brasenose

As a general rule these dispensations for time would hardly be necessary, for the undergraduates of the Tudor period remained in residence far longer than they do to-day, and spent more time in the year in Oxford. In 1538 it was stated that the scholars appointed under the benefaction of John Claymond were not to be absent for more than forty days ;¹ and from the ' Batt Letters ' it is clear that men often did not go down for vacation owing to the expense of travel.² By the year 1555 Hugh Conway, of Brasenose, had been a ' scholaris ' for twelve years ;³ and William Dyer, who matriculated in 1578, seems to have continued his studies with intervals for a period of ten years.⁴

*The age of
under-
graduates*

It is often asserted that the age of the undergraduate, when he matriculated, was very different from what it is now. The fact that in 1578 it was decreed that only those over the age of sixteen years should subscribe to the Thirty-Nine Articles⁵ is a proof in itself of there being students under that age. Certainly, in 1578, when seventy undergraduates matriculated at Brasenose, there were boys of twelve, thirteen, fourteen, and fifteen ; but by far the greatest number were seventeen and

dispensed from disputation through illness, for an absence of three terms ; p. 24, October 30, 1595, Henry Philips of Brasenose, dispensed for modifying the exercises, owing to illness ; p. 32, July 1, 1592, Robert Goddard, of Brasenose, asked for a dispensation that his grace might be proposed in his absence, as he had to go down on urgent business ; on March 9, 1593, William Billingsley asked the same, as he was teaching boys in the country ;—[Graces were, however, sometimes refused ; cf. p. 40, where, in May, 1586, Robert Milward, of Brasenose, supplicated for his M.A., ' sed gratia negata est in perpetuum. ' Clark says, ' This sentence must have been forgotten or revoked, because Robert Milward suppl. Feb., lic. 22 Feb., 1587, inc. 1588 ' ;]—p. 46, dispensation for ' circuitus ' was granted on June 21, 1590, to Edward Gee of Brasenose, because he did not know that Congregation was to be held that day ; p. 57, dispensation for absence on Egg-Saturday was granted on February 17, 1591, to John Hodges of Brasenose ; p. 69, dispensation for shortening the period of residence for the M.A. degree was granted on January 21, 1588, to Robert Heton of Brasenose, because he must go to his benefice ; p. 370, on January 24, 1593, Thomas Hulme, now of Brasenose, was allowed to count ten terms at Cambridge.

¹ Dr. A. J. Butler, *ut supra*. ' During their absence, their stipend is to be converted to the use of the College. '

² See p. 13.

³ *B. N. C. Reg.*

⁴ *Ibid.*

⁵ O. H. S. x, p. 5. The ceremony was not enforced until 1581.

eighteen; while the eldest was twenty-four years old.¹ The year 1589, when the matriculation list shows only fifty names,² was peculiar for the youth of the undergraduates. Edward Nurse was only nine years old when he entered the College, but he had companions of much the same age, for John Egerton³ was ten, and William Norris eleven. It is probable, therefore, that the ages varied very much more than they do now, but that the average age was only slightly below that of 1909.

By late Tudor times the 'robustious and aggressive person', who had been the typical student of the Mediaeval Hall had disappeared, and better discipline had been facilitated by the character of the College buildings. There were now strong walls and a massive door, which was closed in summer at nine o'clock, and in the winter one hour earlier.⁴ There was also a garden, though whether this was used by Brasenose students for recreation it is difficult to say.⁵ Their games and amusements were indeed of a limited character. There were no playing fields, and probably the old fifteenth-century custom remained of walking into the country 'for the recreation, convenience and honour of the community'.⁶ It is noticeable, however, that no one was to walk out alone, to avoid 'scandal'; 'doubtless it was a wise precaution, for two men are better than one in a street row. Strange practice though it was, it survived till comparatively recent times.'⁷ As for playing football, it was absolutely tabooed, and was regarded as an 'insolent' game till late in the sixteenth century. There was a complaint, in 1584, that men were openly playing football

*Games and
Recreations.*

¹ *B. N. C. Reg.* of this year gives a complete list of ages.

² For *B. N. C.* matriculations 1576-1897 see Buchan, *ut supra*, App. G.

³ *B. N. C. Reg.* He was M.P. for Callington at 19 years old. Afterwards the Earl of Bridgewater.

⁴ *O. H. S.* viii, p. xi.

⁵ *V. P.'s Reg.* A. 74. b. 1561, May 5, 'Concessum est Gualtero Baylye ut utatur dimidio horti nostri jacentis inter collegium nostrum et Cat Strete ad terminum triginta annorum.' Cf. Dr. A. J. Butler, *ut supra*. Sir John Port of Etwall in Derbyshire gave, in 1516, 'all that garden place or vacant ground in Oxon adjoining to the Colledge of Brasynos upon the South side.'

⁶ Rashdall, *Universities of Europe in the Middle Ages*, ii, p. 625.

⁷ Buchan, *ut supra*, p. 43.

'to the great disorder of the University', and the Earl of Leicester therefore ordained that if any Minister or Deacon dared to play football, he should be expelled from Oxford.¹ At the very end of the century the game seems to have been played 'in a place on the north of the town near Balliol College called the Beaumont'²; and by 1608 it was regularly indulged in on Bullingdon Green. There were, of course, illicit forms of amusement, such as poaching on Shotover Hill, or, for more daring spirits, in the Queen's Manor of Woodstock. Besides this there were many merry meetings in the taverns of Oxford; although when Cardinal Pole was Chancellor, in November 1556, there was a petition to enforce the statute 7 Ed. VI limiting the wine taverns of Oxford to three in number, as they had increased to eight. The result of this increase had been that the price of wine had gone up, to 'the impoverishing of the poor scholars who will have wine whatever it cost'.³ This petition seems to have been quite ineffectual, for the chief amusement of the undergraduate in 1582 was 'tipling, dicing, carding, tabling' in Ale Houses.⁴ As a matter of fact, the Brasenose students were particularly forbidden to play dice, or ball, or cards, but the last was allowed in Hall at Christmastide.

*Flogging
and Fines.*

There were many things that the undergraduates were forbidden to do, which no doubt occasionally spurred them on to insubordination; but 'The statutes of Brasenose are the first which exhibit the undergraduate completely stripped of all his medieval dignity, tamed and reduced to the school-boy level... here he is subjected to the birch at the discretion of the College lecturer for... making "odious comparisons"... as well as for unpunctuality or non-attendance at chapel, and other offences that fell under the cognizance of the Principal... The sixteenth century was the flogging age *par excellence* in the English Universities.'⁵ Flogging, however, was not the only punishment, and we should imagine that it was confined to the younger members of the College. One can hardly believe

¹ Wood, *Annals*, ii, p. 220.

³ *Cal. S. P. Dom. Add.* 1547-56, p. 447.

⁴ Wood, *Annals*, ii, p. 213.

² Buchan, *ut supra*, p. 40.

⁵ Rashdall, *ut supra*, p. 622.

that the dignity of the authorities could have been maintained if the Principal or Vice-Principal attempted to flog a burly and ruffianly undergraduate of twenty-four years of age from the wilds of Cheshire or Lancashire. Impositions were a more dignified form of punishment, and were instituted in the sixteenth century,¹ and continued until recent years. But the system of fines was the more common method of curbing the too exuberant spirits and discouraging the casual forgetfulness of the Brasenose student. Anything from a farthing to two-pence was the fine imposed for no surplice in chapel; coming late to a lecture; and entering the buttery, pantry, or kitchen without leave. From these small sums the scale gradually rose; and eight-pence was the penalty for swearing; one shilling for leaving open the windows of the library. That three shillings and four-pence was the fine for assault shows that such a thing was not uncommon; and this was doubled if the fiery young man dared to use either stick or stone; and this again was doubled if he wounded his antagonist and caused the shedding of blood. But if at last this unhappy undergraduate's love of fighting caused him to assault either the Principal or the Vice-Principal, he suddenly found himself called upon to take his horse and ride away from the old gate of Brasenose, never again to return.

The undergraduates of the day were evidently quarrelsome, and there are frequent references to fights and struggles in the fields.² In these, no doubt, they were assisted by their personal attendants, for it appears to have been a common custom for the wealthier undergraduates to have their own body servants, who were 'personae privilegiatae'.³ There are several examples of these in the Brasenose Annals. In December, 1577, George Bonner was the servant of Edward Winter; in 157 $\frac{8}{9}$, Master Edward Stanley had three Lancashire men, Thomas Bootle, John Wainwright, and

*Private
Servants.*

¹ The first case of punishing by imposition was at Corpus Christi College in 1517.

² Wood, *Annals*, ii, p. 219.

³ They could engage in trade without admission to a corporation; they were exempt from the Mayor's jurisdiction; they could only be sued in the Chancellor's court; and they paid no dues to the city.

Henry Whitacres, as his servants; in November, 1579, Rowland Pilyn attended Master Robert Harrison; and in May, 1582, William Cullame was servant to Master Leeche.¹

*College
Servants.*

Besides these private servants there were also the regular servants of the College. (1) The Bible Clerk, who received throughout the sixteenth century £2 per annum; at the same time his commons were paid for, and the sum for these varied in different years from £1 10s. to £1 13s. 4d.² (2) The Manciple, who received the same stipend as the Bible Clerk, but was evidently fed more luxuriously, for his allowance for commons was £2 3s. 4d.³ (3) The Butler, to whom an allowance for commons was made at the same rate as that of the Manciple. In 1552, his name was Baldwin Smith, and he was apparently an undergraduate receiving a yearly stipend of £1 10s.⁴ (4) The Cook, whose income and allowance came to £4 3s. 4d. per annum; besides this he had certain extras, for in 1552 there is an entry that Corbett, the cook of Brasenose, 'hath drippings only' as his perquisite.⁵ The kitchen utensils did not belong to the College, but to the cook, as shown by the fact that in 1588 James Murren, the Brasenose cook, bequeathed all his to the College.⁶ (5) The Porter, who was also the 'tonsor' or 'barbitonsor'; his stipend was £2 per annum, and sums are regularly entered in the Rolls for tonsorial necessities, whatever they might be. Thus in 1552, 3s.; in 1557, 9s.; in 1565, 'nihil'; in 1589 and 1592, 10s.⁷ (6) A Clerk of the Accounts, who does not appear in the College books until 1572. He was a Master of Arts, and received an income of £1 6s. 8d.⁸ (7) Battelers, who were poor scholars and waited on their richer brethren before they themselves were allowed to sit down. (8) A Laundress, who was the only woman connected with the

¹ O. H. S. x, pp. 390-3. This Master Leeche, in 1600 received as a compassionate grant £2 from the college because he was suffering 'gravi morbo in patria'.

² *Bursars' Rolls*. Kept in the muniment room of the College. The stipend was increased by Joyce Frankland.

³ Ibid.

⁴ Ibid. and *B. N. C. Reg.*

⁵ O. H. S. x, pp. 287, 288.

⁶ O. H. S. xi, p. 27.

⁷ *Bursars' Rolls*.

⁸ Ibid.

College,¹ and was not admitted within the gates. 'Quam aetatis talis talisque conditionis esse volumus in qua omnis suspitio sinistra evitetur.'² It is of some interest to note that in 1552 the School of Arts was used by the laundresses to dry their clothes.³

The payment of the servants was but a small item in the expenditure of the College. The *Bursars' Rolls* of this period illustrate many curious facts with regard to the difference of money, then and now. When the College Authorities went on progress, their expenses for horses, food, and lodging were, in 1552, £12 18s. 9d. The Principal's stipend was £5 per annum, but once, in 1564, it dropped to £3 15s. Of course, in addition to this, he, with the other Fellows, had their commons and lodging. The Vice-Principal received, in 1552, £1 15s.; but after that, to the end of the sixteenth century, it was £2 6s. 8d. The Bursar's stipend long continued at the comparatively small sum of £1 6s. 8d. The Lecturer in the Hall received £4; so also the Lecturer in Greek after 1565. Sutton's Chaplain had £10 per annum until 1561, when the term 'chaplain' was converted in the *Rolls* to 'scholar'; but once again, in 1572, the title chaplain is restored, and from this moment the office is held by one of the Fellows. Elizabeth Morley's Chaplain had, in 1552, £2; but in 1557 the income seems to have been *nil*; and after 1561 there was the same change as in the case of Sutton's Chaplain. Cox's Chaplain (in 1552 a Mr. Roger Edwards) had £4 per annum, until like the others, in 1561, the sum was given to a scholar. The Priest at Cold Norton received £6 13s. 4d. out of the College funds, but after 1561 this item of expenditure disappears.⁴

The sum expended on the six Claymond scholars was supposed to be 13s. 4d. a quarter; but the actual amount varied very much from year to year. Thus, in 1552 it was £10 7s. 8d.; in 1557 it fell to £9 16s. 10d.; in 1566 it had risen again to £13 2s. 4d., which was the highest amount

¹ 'Mapparum et aliorum usualium vestimentorum lotrix.'

² College Statutes.

³ Wood, *Annals*, ii, p. 113.

⁴ The figures are from the *Bursars' Rolls*.

reached during the period. The two Ogle scholars always received £4 between them, 'paid on the four great feast days';¹ but in 1565 the total fell to £3 15s. The Henry Fisher scholar, first mentioned in 1564, got £2 13s. 4d., but in the next year received £3 6s. 8d. The Queen Elizabeth scholars, first mentioned in 1575, received between them £20.²

*The
Commons
of the
Principal
and
Fellows.*

The largest item in the Rolls is that which is entered for the Commons of the Principal and Fellows. In 1551 it was £59; in 1570, £39 11s. 10d.; the next highest year was 1589, when it was £56 14s. 10d.; but in 1599 it had reached £61 9s. 2d. After 1586 there was the augmentation of Joyce Frankland of £57 2s. 8d.; and two years later there is a reference to Nowell's augmentation of £29 1s.³

*Miscel-
laneous
items of ex-
penditure.*

Fuel was a very considerable item, but it varied in a remarkable way. In 1561 it was £20 16s. 5d.; in 1564, £22 5s. 10d.; in 1577 it had unaccountably dropped to £5 0s. 10d.; and in 1588 it reached its maximum, £29 1s. Another curious item, which very naturally fluctuated according to circumstances, was the entry of different sums as presents to servants who brought game, venison, &c. to the College.⁴ In 1552 these amounted to only 3s. 4d., but in 1567 they came to the large total of £6 5s. 1d. Amongst other miscellaneous entries of expenditure, it is remarkable how very little was wanted for the Chapel. In the entry for 1552, the 'necessaries' for the College Chapel also included those for the Chapel at Cold Norton, and together were only 16s. 2½d. In 1557, however, the Brasenose Chapel necessities were £4 19s. 3d., which may have been due to the restoration of a more elaborate ritual; but at Cold Norton there was no corresponding increase, as the sum entered was only 7s. 6d. Never again during the period do the College Chapel 'necessaries' amount to more than 15s. 7d., and in some years they are entered as 'nihil'.

*The cost of
maintain-
ing the
sea-banks.*

One of the most interesting payments that occurs in the *Rolls* still continues, and consists of a rate levied for the maintenance of the sea-banks in Lincolnshire. The College

¹ Dr. A. J. Butler, *ut supra*.

² *Bursars' Rolls*.

³ *Ibid*.

⁴ 'Dona et regarda' included 'Christmas boxes to the servants', &c.

at one time possessed property¹ which was actually on the east of the ancient Roman bank, and no doubt it was a great labour to preserve the sea-wall against the inroads of the North Sea. 'Pro littoribus marinis' first occurs in the *Rolls* in 1570, when £6 was paid. For six years there seems to have been no payment, but in 1576 £49 13s. 4d. was expended to make up for all the deficiencies of the past.² A curious letter of 1572 on this subject has been preserved from the Bishop of Lincoln,³ 'to my lovinge freends the Principall and fellowes of Brasenoose College in Oxon.' The College authorities had apparently written to ask if they could alienate their lands in Lincolnshire, as the sea made great inroads and the cost of keeping up the banks was becoming very heavy. The Bishop replied that he thought they might be allowed to do so, but that the funds must be used to buy other lands, or be 'reserved in the University chest, Magdalen Colledge, or ells some other the like safe place untill better oportunity serveth for the disbursiage of the same'.⁴

As the College was called upon to spend money in such large sums, it must have been most disturbing for the Bursar to find that men continually avoided paying their battels for as long as possible. In 1569 it was decreed that all persons be obliged to pay their battels within a certain time;⁵ but this seems to have had no effect, and once again the authorities called in the Visitor. On October 6, 1578, the Bishop of Lincoln wrote, 'Furthermore for as much as in conference with your principall I understand that manye, partelye fellowes, partelye other comminors, owe unto your colledge large somes for their battailes . . . these are to require such . . . to provide the same bee payde, before the audit or at the uttermoste before Christmas next: or ells I order and appointe them yf he bee a comminer to departe from the house, yf he bee a fellowe to leese [?] his commons and not bee chosen to any office in the house untill yt bee

The payment of battels and caution money.

¹ This is now under the sea. In the old leases preserved by the College there are several curious references to this property.

² *Bursars' Rolls*.

³ He was and is the Visitor of the College.

⁴ V. P.'s Reg.

⁵ Decree of the Principal and Fellows.

fully satisfied.¹ Even this, however, did not seem to have the desired effect; and in 1587 caution money was introduced, for it was decided by the Principal and Fellows that every scholar should deposit 40s. into the hands of the Junior Bursar.² As late as 1592³ Archbishop Whitgift, Richard Cox, and Richard Bancroft,³ wrote insisting on the payment of battels and caution money;⁴ and it is to be hoped that their action had satisfactory results in the next century.

*The style
of feeding.*

Presumably a large proportion of battels would be the cost of food. Feeding was very bad in Oxford at the beginning of the sixteenth century, and was indeed so notorious that Sir Thomas More was able to say, 'My counsel is that we fall not to the lowest fare first: we will not therefore descend to Oxford fare.' A hardy student had no breakfast and worked from six o'clock till ten. Dinner was served at ten or eleven o'clock, and supper at five. In Hall, the Bible, or a 'useful book' had to be read, and everybody had to converse in Latin. After the meal was over, Brasenose men were forbidden to stay on in the Hall, or to gather in little groups for discussion. Whether these discussions were nevertheless held and complaints made, it is now impossible to say, but that there had been difficulties and disagreements about the food served in Hall is to be inferred from the decree of 1560, 'that the steward of the Hall go with the manciple to market to buy meat.'⁵ It was during Blanchard's period of office that the larder was ordered to be enlarged,⁶ which certainly seems to point to a better state of feeding than had hitherto existed. It was, however, at this time that we read of small beer taking the place of wine, and salt-fish, beef, and mutton being the ordinary fare.⁷ That the scholars had to wait upon themselves is obvious from the scarcity of servants, and also from

¹ V. P.'s Reg. A. 84. b.

² Decree of the Principal and Fellows.

³ Richard Bancroft (1544-1610) was then chaplain to Whitgift; became Bishop of London 1597, and Archbishop of Canterbury 1604.

⁴ V. P.'s Reg. A. 77. b.

⁵ Decree of the Principal and Fellows.

⁶ Ibid., 1568.

⁷ Thorold Rogers, *Econ. Inter. of Hist.* (ed. 1891), p. 199.

the entry in the *Statutes* in 1598, that they were not to take any dishes or saucers out of the kitchen or buttery except into the Hall at meal times.¹ Throughout the whole century there are regular references in *the Rolls* to the amount of salt and flour used in the kitchen. These sums fluctuated year by year. In 1563 salt was entered at 18s. 6d., and flour at £1 3s. 10d.; in 1594 £2 12s. 4d. was spent on the former and £7 15s. 6d. on the latter; in 1595 £3 8s. 8d. for salt and £9 8s. 8d. for flour; in 1596 flour had risen to £12 5s. 7d.; while in 1599 salt reached its maximum at £4 3s. 11d.; in 1600 the prices were rather more normal, salt being £2 16s. 7d.; and flour £7 5s. 9d.² It is curious to find so few references to other kitchen necessities; they do, however, occasionally occur, as 6s. 8d. in 1573 and 13s. 4d. in 1576.³

The Fellows naturally had better fare and had numerous dinners, gaudies, and anniversaries. There was a dinner every year at the making up of the accounts; in 1552 this cost £2; in 1565 it was as much as £3 3s. 10d. Then there were the anniversaries, in 1552, of Smyth, Sutton, Porter, Darbie, and Cox, which came, in the total, to £4 11s. 11½d. In 1557 there were the same anniversaries, but the name of Ogle was added, and the expenditure was £6 16s. 8d. Two more names, Sir John Port, junior, and Master Smyth, were added in 1561,⁴ with the result that the cost of these celebrations reached £7 6s. 7d. The highest sum arrived at during the period was £9 3s. 6d., in 1579, after the anniversary of Richard Harpur had been added to the rest.⁵ Fortunately a small document has been preserved⁶ which contains the items of such a gaudy.

*The
dinners of
the Fellows.*

¹ College Statutes.

² Between 1564 and 1572 the average price of wheat was 12s. 1d. per quarter; after 1576 there was a steady rise in the price of food; in 1590 the average price of wheat was 20s. 6d.; but 1596-97 were two years of famine when wheat was 46s. 3d. and 56s. 10½d.

³ *Bursars' Rolls*.

⁴ Ibid. Sir John Port junior gave an annual rent of £3, which in 1580 was transferred to Henry, Earl of Huntingdon, for the conveyance by the Earl to Brasenose of the dissolved college of 'St. Marie in Oxon'. This is mentioned in the *Rolls* of 1580.

⁵ Ibid.

⁶ Preserved in the muniment room of the College.

Layed out for dinner in the Tower, 14th of November 1597.

	s.	d.
Inprimis for a cabbadge . . .		2
Item for a p[iece] of beefe . . .	1	0
Item for a legge of porcke . . .	1	6
Item for 2 couple of rabbets . . .	2	8
Item for a quarte of wyne and sugar .	1	1
Item for ale, apples & cheese . . .		10
Item for table cloath and napkins .		6
ffor supper dod[o]		
Item for a loyne of mutton . . .	1	6
Item for [a couple of rabbits] . . .	1	4
Item for a quarte of sacke . . .		10
Item for ale, apples & cheese . . .		10
Sum	12 ^s	3 ^d ita est.

The w^{ch} sum of 12^s 3^d I have received of Mr. Dalton on the day above written.

Rich. Billingsley.

The regulation of dress.

If the expenses of living in Oxford were great, neither Scholar nor Fellow need have spent very much upon dress. At that period the Statutes allowed the Principal of Brasenose to regulate the attire of both dons and undergraduates; and long hair and all the attendant foppery were particularly banned.¹ Costly furs, silks, and cloth of velvet were strictly prohibited by the College authorities; and this was also done by a University Statute of 1564, stating that the senior and junior members 'should not openly wear any dublet of any light colour, as white, green, yellow, &c.'² The students were obliged to wear academic dress far more frequently than at the present day. It is noticeable that this dress was quite different from that of modern times, and amongst many other variations, in 1592, Commoners wore 'rounde cappes'³; and woe to the young man who was not properly attired, in the earlier years of the period, if he met the Proctor with his pole-axe and guarded by his armed attendants.

¹ 'Quod nullus sociorum inordinatos crines nutriat.'

² Wood, *Annals*, ii, p. 153.

³ O. H. S. x, p. 231. If, on the occasion of the Queen's visit, they failed to wear 'gownes hoodes and cappes', they were to be fined and imprisoned.

An Elizabethan, writing of Oxford, described it as particularly healthy ;¹ but this must have been an exaggeration, for the city seemed peculiarly liable to the attacks of bubonic plague. In 1557, the greater part of the Students, and presumably Brasenose men amongst them, were driven out by a pestilential disease.² Six years later it is recorded that all the disputations, lectures, and scholastic exercises of Michaelmas Term were postponed until the next spring, 'causa est pestes praesens.'³ That this continued into the next year is shown by the Vice-Principal's Register, where it is provided 'modo hec [sic] concessio statutis nostris non sit dissona eo quod Dedingtoniae facta est, uno de sex senioribus sociis tunc temporis Oxoniae existente'.⁴ The same disease broke out in 1571 'to the terror of all as well Laicks as clerks',⁵ and 'ordinariae lectiones et publicae lectiones necnon publica et scholastica exercitia in qualibet facultate'⁶ were deferred from April 26 to the first day of Michaelmas Term. At the same time a decree was passed by the Brasenose Authorities that the Principal and certain Fellows should be allowed leave of absence because of the plague, but that four must remain according to the Statutes.⁷ This year, there can be no doubt, the plague was particularly virulent. Six hundred persons died in Oxford before April 1572, while it is asserted that 700 recovered.⁸ The Scholars were so impoverished that they were allowed to beg, 'having license so to do, as an act of parliament required, under the common seal of the University.'⁹ Three years later the pestilence seemed worse than ever, and affected Brasenose like all the other Colleges. Term was postponed, and 'as for ordinary lectures the masters laid them aside, either for the fewness of auditors, and perhaps fear of danger'.¹⁰ The same thing occurred in 1577,

*The effect
of the
plague
upon Uni-
versity
work.*

¹ O. H. S. viii, p. xi.

² Wood, *ut supra*, p. 138.

³ O. H. S. x, p. 158.

⁴ V. P.'s Reg.

⁵ Wood, *Annals*, ii, p. 170.

⁶ O. H. S. x, p. 158.

⁷ College Statutes.

⁸ O. H. S. iv ; cf. Wood, *Annals*, ii, p. 171.

⁹ Churton, *ut supra*, p. 207 ; cf. 14 Eliz. C. v, 'all scholars of the Universities of Oxford or Cambridge that go about begging, not being authorized under the seal of the said Universities,' are to count as rogues, vagabonds and sturdy beggars.

¹⁰ Wood, *ut supra*, p. 179.

when 'the Doctors and Heads of Houses all, almost to one, fled, and not any College or Hall there was but had some taken by this infection'.¹ On January 27, 1578, an application was made that St. Mildred's, or Brasenose Lane, should be closed owing to its unhealthiness at the time of the plague.² Robert Batt wrote from Brasenose College to his relative Stephen Waterhouse,³ and told him of the terrible plague then raging in London.⁴ When he wrote to his brother Edward,⁵ the plague had spread from the Metropolis to the University;⁶ but, although collegiate work appears to have entirely ceased, the unfortunate Batt, owing to poverty, was obliged to stay on in the infected area. For the next ten years, Oxford seems to have been free from this scourge of Tudor times, but in 1593 it broke out with renewed vigour, so that Michaelmas Term had to be prorogued until November. This, however, did not again occur until the first year of James I, when on September 17 'Vice-Cancellarius significavit pestem magis magisque indies grassari per Universitatem',⁷ and therefore Convocation postponed the first day of Term to November 2.

*The
College
stable.*

These frequent recurrences of plague must have been not only terribly disturbing to work, but also fell upon the poor scholars with the greatest severity.⁸ It was practically impossible for them to leave Oxford at a moment's notice. The cost of horses at that time was very excessive and quite beyond

¹ Wood, *ut supra*, pp. 189, 190.

² O. H. S. x, p. 159, 'ut angiportum inter coll. Exon. ex una parte et Coll. Linc. et Aen. Nas. ex altera medium ferens intercludi publicis Universitatis sumptibus liceat.

'Causa est partim quod sterquiliniis eo undique coniectis publico aspectui deformitas fiat, partim quod a nocturnis grassatoribus nec fenestrae tutae nec studentes securi esse possint.

'Concessa est, modo praefata collegia Exon. Linc. et Aen. Nas. ostia suis sumptibus fieri procurent.'

³ October 24, 1582. MS. Rawl. D. 985. Bod. Lib.; see p. 13.

⁴ There died in London that year 2,976 persons. ⁵ December 21, 1582.

⁶ O. H. S. x, p. 159 '28 Nov. 1582 "propter pestis suspicionem" the sermons, lectures, and public exercises at the end of this term were ordered to be omitted'.

⁷ O. H. S. x, p. 160.

⁸ Latimer said in one of his sermons in 1552, 'physic is a remedy prepared only for the rich folks not for the poor, for the poor is not able to wage the physician.'

the means of the 'pauper scholaris' who, once having left his native wilds, was obliged to stay until he had completed his period of study. This difficulty, however, did not exist for the Principal and Fellows, as Brasenose kept its own stable,¹ and evidently a good supply of horses. The position of the College stable is well known, for it stood in what is now Radcliffe Square, and Twynne says, 'Glasyn Hall alias Pyletts is the litell old buildinge nowe Brasennose College stable.'² There are several references to the College horses in the Vice-Principal's Register; thus, on December 4, 1550, there is mention of 'et equos et omnia ad equitandum necessaria'.³ Sometimes extra horses were hired, and on December 3, 1556, John Hawarden 'recipere de bonis collegii decem libras' to pay for the expense of horses when executing the business of the College.⁴ The cost of the up-keep of the stable varied very much from year to year. In 1552 it was £11 11s. 0d.; in 1556, £3 6s. 5d.; in 1575, £6 2s. 11d.; while in 1585 it had risen to £17 7s. 7d.⁵ It is of some interest to notice that the College coachman, or 'custos equorum', received £4 0s. 0d. per annum, which was the same stipend as that of the Greek Lecturer.⁶

It is a charming feature of college history that men tend to *Jesuits and* send their sons where they themselves have been. Generation *plots.* after generation men have come from Lancashire to Brasenose, and brought no little credit upon their county and their college. This connexion with the ancient Palatine county, even now loyal to the old faith, may possibly account for the number of Brasenose men who became Jesuits and Roman Catholic priests during the reign of Queen Elizabeth. One of the earliest of these was Edmund Ansley⁷ (matric. 1552), who in 1557 was dismissed from his Fellowship at Merton

¹ 'Concessum est Thomae Gente de Stroud et suis assignatis occupare domum quam nunc inhabitat ad terminum 30 annorum eodem modo quo nunc ipse occupat sub conditione ut stabulum idoneum equis collegii servet et ipsos honesta summa nutriat prout plenius in indentura apparebit sub quibusdam conditionibus in indenturis explicandis.' December 1, 1547, V. P.'s Reg. A. 69.

² O. H. S. xxxix, p. 162.

³ V. P.'s Reg. A. 71.

⁴ Ibid. 70. b.

⁵ *Bursars' Rolls.*

⁶ The Lecturer had, of course, lodgings and commons.

⁷ *B. N. C. Reg.*

College on account of his religion ; and was finally imprisoned in 1573 on the suspicion of carrying on correspondence with Mary, Queen of Scots, then a captive at Sheffield. Most of the men who became Jesuits after receiving their education at Brasenose passed to the newly founded college at Douai.¹ Thus Arthur Pittes (matric. 156 $\frac{5}{8}$), having spent some years at the Douai seminary, became Chancellor to the Cardinal of Lorraine.² On May 28, 1582, John Shert (matric. 1564) was hanged, drawn and quartered in London for being a priest and denying the Queen's supremacy.³ Two days later, Thomas Cottam (matric. 156 $\frac{8}{9}$) was also executed at Tyburn.⁴ He had been to Rome and Rheims, and on landing near Dover in 1580 had been taken captive and imprisoned. He seems to have been a determined character, for while in gaol he became a Jesuit. He was accompanied to execution by an old Brasenose friend, Lawrence Johnson,⁵ who, having been trained as a priest at Douai and Rheims, was sent on a mission to England in February, 158 $\frac{0}{1}$, but having been captured he paid the penalty of his rashness on the scaffold. John Nicolls⁶ was a contemporary of Cottam at Brasenose, and he also became a Jesuit, but apparently escaped detection. Another contemporary, Thomas Worthington,⁷ obtained more worldly distinction, for after leaving Brasenose and spending some time at the seminary at Douai, was finally raised to its Presidency in 1599. Francis Ingleby⁸ was in residence before these men (matric. 1562), but like Shert, Cottam and Johnson became a Roman Catholic priest, and was hanged for it at York on June 3, 1586. Some years after, Humphrey Leach⁹ (matric. 1589) became a Jesuit, but little more is known of him. It is not surprising, after so many Brasenose men became ardent supporters of Pope Gregory XIII, that Robert Batt took considerable interest in Jesuit plots against Elizabeth.

¹ Lingard says that this college was founded in 1568 or 1569 ; Strype thinks that it was some years later. It was most probably founded by William Allen in 1568, after he had left Oxford some seven years. The seminary was suppressed by Requesens, but revived in 1578 at Rheims. It returned to Douai in 1593.

² *B. N. C. Reg.*

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*

⁸ *Ibid.*

⁹ *Ibid.*

On December 18, 1583, Batt wrote to Stephen Waterhouse, and mentioned Somerville's conspiracy¹ 'to shoot the Queen with his dagger, and he hoped to see her head set upon a pole for she was a serpent and a viper'.² Batt also mentions the celebrated Jesuit, Edmund Campion,³ who had been executed in 1581; and 'Trogmortonus', or the famous Francis Throgmorton of Cheshire, who had plotted against Elizabeth in November, 1583, and was executed at Tyburn in 1584.

Although so many Brasenose men became Romanists, there are no definite references to Fellows being dismissed for the same reason. It is more than likely, however, that the first instance of expulsion after 1550 was based on religious differences. In the case of Christopher Cary,⁴ of Buckinghamshire, the reader cannot refrain from wishing to know more, but the record merely tells the simple fact that he was expelled from his Fellowship by the Principal, 'propter manifestam contra eum inobedientiam et rebellionem.' This stern decree, like a similar one against Morgan Carr,⁵ an Irishman, was confirmed by the Commissioners of Cardinal Pole on August 14, 1556. Some interesting letters have been preserved with regard to the expulsions at this time. On January 10, 1556, Cardinal Pole, 'legate from the poppes holynes,' wrote to the Vice-Chancellor, Dr. Marshall, of Corpus Christi College, and said, the 'pryncypall of brasinnose' had expelled certain of 'hys scolleres' for misbehaviour. The Cardinal told the Vice-Chancellor to see that they were allowed to remain until he came, 'when I wolde resolutlye dyspose of them myselffe.' But the Principal evidently did not understand the Chancellor's commands, for he had 'dyscharged them of there feloshyppes'. Dr. Marshall was now commanded to investigate this serious state of affairs, and if the men dismissed had really been genuine Fellows, they were to remain so until the Cardinal arrived; but if it were found that they were not Fellows, 'my

¹ MS. Rawl. D. 985. Bod. Lib.

² Froude, *Hist. of England*, xi, p. 396.

³ Edmund Campion, of St. John's College, had been fellow-proctor with James Charnock in 1568; cf. Clark, *ut supra*, p. 351.

⁴ *B. N. C. Reg.*

⁵ *Ibid.*

mynd is that thaye shall quietlye enioye the commodities of the house 'till he came.¹ The Bishop of Lincoln also thought that it was necessary to interfere, and wrote to the Vice-Chancellor saying, with 'all diligens to execute th effecte of my lord cardinall his graces request as in quyetting that troubleous house of Brasynnose', and then proceeded, 'Further in my name ye requyre theym that according to they statutes and commandment by me gyven upon complaynt in my said visitation they and evye of theym be at the dyuyne service from whense as I am informed certeyn absented theym selves upon Christmas daye last . . . and lastlye of all to exhort as well the principall as the felowship to quyetnes and charyttee.'² The matter was satisfactorily settled according to the original action of the Principal, for Dr. Marshall replied to Cardinal Pole, 'the contention betwene John Hawrdyn, principall of brasinnose in Oxforde' and William 'ellye',³ John Hodson, Christopher 'Carye', and Patrick 'Sachauerell' was decided, and that he had left them 'as theyre statute did gwyde us in our doinges hereof, no felowes'.⁴

*Dismissal
of Fellows
for absence
and matri-
mony.*

The most ordinary cause of dismissal was for being absent without leave. Hugh Long⁵ and Rhys Philips were expelled for this reason in 1565; and Ralph Whitehead,⁶ of Lancashire, suffered the same fate in the spring of 15⁶⁹/₇₀. In much the same way, on June 26, 1579, Zachary Jenkinson,⁷ of Leicester, 'declaratur non socius per Principalem quia abfuerit diutius quam statuta ferunt'; and Ralph Robinson⁸ was dismissed for the same cause in 1581. Matrimony was naturally a reason for expulsion, and this brought about the dismissal of William Massey,⁹ in November 1588, and of Edward Hutchins¹⁰ in 1590. Two other reasons are supplied by the records; the first, in the case of Thomas Colmere,¹¹ June 29, 1593, who was expelled 'quod infra septem annos postquam suscepit gradum magi-

¹ V. P.'s Reg. A. 85. b.

² Ibid.

³ This William 'Ely' was clerk of the Market in 1552; cf. O. H. S. x, p. 253.

⁴ V. P.'s Reg. A. 85. b.

⁵ *B. N. C. Reg.*

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.; cf. O. H. S. x, p. 36. On April 15, 1592, Edward Hutchins of Brasenose, had had to get a dispensation for not having his grace for B.D. registered.

¹¹ Ibid.

stratus sacros ordines non habuerat et Presbyter non fuerat'; the second, in the case of Jasper Colmer,¹ who in September 1598 was expelled by the Visitor for insubordination; it may have broken his heart, for he died within the next three weeks. The Principal's decision that a man was worthy of expulsion was not always supported by the Visitor or others in authority. Thus John Lowe² escaped expulsion, and so also Henry Walmesley,³ whose dismissal was declared null and void by Elizabeth's Commissioners.

The Fellowships of this period were not granted for any great learning or for capacity for teaching others. It is *How fellowships were 'run'.* obvious from the already mentioned piteous letters of Robert Batt, that the posts were given by favour. So, too, in 1596, Queen Elizabeth 'recommended', which meant 'commanded', All Souls College to give the next vacant Fellowship to Richard Mokett, B.A., of Brasenose, 'he being destitute of other means to continue his studies';⁴ and it is hardly likely that the College dared to refuse the hot-tempered sovereign. Some six months later, in June 1602, All Souls College entered into an agreement by which Mathew Anderton, of Brasenose, was to have a Fellowship when vacated by Dr. W. Bird.⁵ Bad as the system was, in later years it became worse still, until in modern times an entire revolution took place and the University was drastically reformed.

The social life of Brasenose College in the sixteenth century displayed some of the elements that distinguish it to-day. *Conclusion of Part II.* There was nothing foppish; something perhaps a little rough; but roughness is not always a sign of boorishness, and is rather to be welcomed in a world of too great softness. The College has 'always been remarkable in an unusual degree for its vigorous patriotism'.⁶ And those to whom the grey and ancient walls of the old quadrangle are endeared by many memories of a happy youth, have a certain belief that a College which held so high a place in men's affection and esteem in

¹ *B. N. C. Reg.*

² *Ibid.*

³ *Ibid.*

⁴ *Cal. S. P. Dom.* 1595-7, p. 496.

⁵ *Ibid.* 1603-10, p. 123.

⁶ Wells, *ut supra*, p. 180.

the past, will continue to arouse such feelings in the hearts of many future generations.

‘Shall Brasenose therefore fail to hold her own?
She nerves herself anew for coming strife,
Her vigorous pulses beat with strength and life.
Courage, my brothers! Troubles past forget!
On to fresh deeds! The gods love Brasenose yet!’¹

¹ *Brasenose Ale*, p. 303, Shrove Tuesday, 1886.

APPENDICES

APPENDIX A

List of Brasenose Admissions.

1576-1600.

1576	.	.	.	.	.	.	39
1577	.	.	.	.	.	.	34
1578	.	.	.	.	.	.	74
1579	.	.	.	.	.	.	58
1580	.	.	.	.	.	.	34
1581	.	.	.	.	.	.	53
1582	.	.	.	.	.	.	43
1583	.	.	.	.	.	.	30
1584	.	.	.	.	.	.	32
1585	.	.	.	.	.	.	25
1586	.	.	.	.	.	.	34
1587	.	.	.	.	.	.	37
1588	.	.	.	.	.	.	21
1589	.	.	.	.	.	.	55
1590	.	.	.	.	.	.	32
1591	.	.	.	.	.	.	14
1592	.	.	.	.	.	.	30
1593	.	.	.	.	.	.	16
1594	.	.	.	.	.	.	55
1595	.	.	.	.	.	.	22
1596	.	.	.	.	.	.	21
1597	.	.	.	.	.	.	31
1598	.	.	.	.	.	.	40
1599	.	.	.	.	.	.	32
1600	.	.	.	.	.	.	22

APPENDIX B

*Specimen of the Towneley Nowell MS. from 'The
Spending of the Money of Robert Nowell'
—A. B. Grosart. (1877.)*

Too one Alexander Aspinall, a poore scholer, the xxv^o of Octobr^r A^o 1572 at the sute & commendacion of the
of Brasynoose
vice principall [^] m^r Rycharde harries, m^r James whitakeres,
ande Willm Crowther fellowes of the same house of
Brasynnose colledge in Oxforde
.

xiijs iiij^d

viijs^o of
march
A^o 1573.

Too iij scholer^s of Brasynnose Colledge in Oxforde,
by thandes of m^o harries vice p^rincipall one henry Smythe,
Rycharde hollande, Thoms Lawe xiijs iiij^d apece in the
whole

xl^s

geven more to the said Lawe & hollande to bringe them
to oxforde the viij of march A^o 1573

iiij^s

a note of
all sutch
fomes of
money as
my m^o
hath laid
out for
Brasyn-
nose
sethence
the foun-
dation of
mydelton
schole.
A^o 1573:
over &
besydes
certain
money
gyven to
Schollers
of that
house,
sethence
yt tyme
afore said.

M^d that my m^o hathe sente at iij severall tymes to the
vice p^rincipall & fellowes of Brasynnose college the viijth
of martche A^o 1573 at michalmes, christenmas, & at or^r
ladies daie A^o 1573 at eu^o tyme or feaste xx^{li}

lx^{li}

to willm Kirkame poor scholler of brasynnose college
in Oxforde the viij of march A^o 1573

xiijs iiij^d

To Rycharde ffynche poor scholler of Brasynnose
Colledge in Oxforde at the sute of m^r Docter humfreye,
& m^o Docter cole by m^r harries, & iij^s iiij^d to him selfe

xxiijs iiij^d.

these
pcells are
entred in
the iij^d leafe
nexte after.

Too one Robte Jacksonne the xxijth of novembr^r A^o
1573

iijs iiij^d.

.
.
.
.

this money was sent by
John wastoncrofte of Burrie
Cotton man.

m^d receyved of m^g Archdeacon wattes the xxvjth of aprell A^o 1575: the some of x^{li} w^{ch} said some was receyvid of the Deane & Chapter of powles, to the vse of the Principall, fellowes & Scholleres, of Braysynnoose college in Oxforde. and receyvid more the same tyme of hyme the some of xlvj^s viij^d for the moytie of Boyton hall. whereof paid of the fame to the scholmaister of the Quenes mat^{ies} free schole of myddleton, for his half yeares stypende due at the Annunciation of the blessed Virgin S^{te} marie laste paste vj^{li} xiijs iiij^d and ij^{li} vjs viij^d to the Vsher due at the same tyme. and gyven more to the said vsher of free will xiijs iiij^d. & so rem in my m^r handes xxxiijs iiij^d of the sum recepd.

APPENDIX C

*Specimens of the letters written by Robert Batt.
To Richard Harris.*

(Bodl. MS. 13744 = Rawl. D. 985)

Viro ornatissimo collegii Aeneanacennsis præsidi dignissimo Magistro ff. 9-10.
Richardo Harris Salutem.

Mirum fortasse videri potest, et infolens admodum (vir illustris et præfes dignissime) quod ego, ex ima quod dicitur hominum fece unus, cuius aut perexigua est, aut plane nulla eruditio, cuius scripta Scotos et barbaros potius quam Cicerones et eloquentes olent, aufim tamen dignitati tuæ gravioribus fortasse negotijs districtæ literis obstrepere. At si rei huius tam infolentis et novæ occasio diligentius paulo perpendatur, novum fortasse, et invitatum, necessarium tamen, et vtile hoc meum consilium videbitur. Cum enim ex hesterno cum dignitate tua colloquio collegissem, quendam efse, qui literis cuiusdam tum tibi amicissimi, tum vniverſo collegio bene cupientis, et posthac fortasse bene facturi, instructus, conetur in alienas posseſsiones irruere, non potui fane, aut tam efse in iniuria ferenda levis, et patiens, aut in vtilitate mea tam negligens, et dissolutus, vt paterer hominem hunc absque aliqua contradictione tum dignitate tua, tum herois illius literis, et benevolentia ad iniuriam adeo manifestam abuti. Nec certe adduci possum, vt credam, eum fuisse viri illius animum, vt dum huic benefiat, ab antiquo et vſitato huius collegij more recederetur, aut manifesta alteri inferatur iniuria. Quod enim ius, quæ ratio, qui mos, quæ consuetudo, aut huius aut cuiusvis collegij permittit, vt iuniores

senioribus, alieni domesticis præferantur, ut illi cui debeat adimatur, cui non debeat in illum conferatur musæum? Si liceat cuius adeptis nobilium quorundam literis, contra collegij morem per multa iam secula usitatum, a musæis senioribus per ius successionis debitis, quemvis expellere, valeant iura, demantur statuta, abrogentur leges, violetur mos, infringatur consuetudo, pendeat omnis huius collegii autoritas a nobilium literis commendatorijs, quidvis potius pertentetur, quam tam diu expectandum donec per successionis ius musæa nobis deferantur. At diligenter quæso perpendat tua dignitas, quam sit periculosum antiquos huius collegij mores abrogare, et novos introducere. Quod enim huic est concessum, illud alter, itemque alter sperabit, donec inveterata tandem consuetudo fiat: at meliora dii faxint. Ignoscat mihi quæso dignitas tua (præsul illustrissime) si acrius quam oportebat, ius meum urgeam, suadet enim ratio, persuadet consuetudo, cogit necessitas. Vix enim dici potest, quam grave detrimentum studijs meis accesserit, quod per tantum temporis spatium, a quo primum huius collegij alumnus factus sum, non habuerim locum studijs meis satis aptum et idoneum. Quod si iam cum maxime sperabam studijs meis consultum optime iri, opinione frustrabor mea, quæ mihi spes reliqua sit non video, quin aut domui, quod ipsum nisi urgente necessitate nollem, sit valedicendum, aut musæum alicubi, quod per facultates non possum, erigendum sit. Tuam igitur dignitatem oro et obtestor (ornatissime vir) ut petitioni huic meæ tam honestæ et necessariæ satisfacias, ut studijs meis consulas, ut æquitatem causæ meæ altius apud animum perpendas tuum, ne forte omne huius collegij utilitate orbatus, et studijs valedicere coactus, iustam habeam fortunæ meæ deplorandæ causam. Sed longius quam statueram progressa est oratio mea. Tu quæso (vir ornatissime) ignoscas ignorantiam meam, et in scribendo imperitiæ, et petitionem meam inanem redire ne patiaris, sed cum orans ad tuam accedo dignitatem, fac quæso ut exorans revertar. Hæc si pro assueta tua in adolescentiam studijs fovendis humanitate et clementia, a tua dignitate impetravero, sic me tibi obstrictum reddes, ut tui memoriam ab animo meo, nulla unquam abolebit vetustas. Quicquid autem statuerit dignitas tua, certum est obsequi, nec omnino committam ut dum ius meum nimis acriter urgeam, authoritati tuæ aliqua ex parte restituisse videar, quam sic revereor, sic colo, ut nihil supra. Valeat tua dignitas.

Reverendæ tuæ dignitatis studiosissimus

Robertus Battus.

Cognato fuo chariffimo Stephano Waterhoufe Salutem

ff. 52-4.

Vix dici potest quantopere tuas expecto et expeto literas . . . Quid rerum apud nos geratur, illud paucis accipe. Accessit Oxoniam Corranus paucis abhinc diebus et discessit si non oculatior, at certe honoratior. Est enim creatus in artibus bacchalaris. Hominem nec vidi, nec conveni vnquam: dedignatus est enim amicos veteres aut adventus fui certiores facere, aut salutatione quamvis vulgari compellare. Omnino, nisi me fallit animus, elatos gerit nebulo spiritus, nosque homunculos despicit, aut Hispanorum implicitus societate non potuit illorum se sodalities expedire nisi conterraneos aut contempsisse aut odisse videretur. Expectamus avide Tempelli Cantabrigienfis refutationem ab Oxoniensibus elaboratam. Authorem quæris? Is vnus non est, multorum manibus grande levatur onus, vt inquit ille. Contra tantum Herculem, quia vnus non sufficit, prodeunt in arenam coniunctis viribus Athletæ duo, in artibus bacchalarij, alter nostras, alter plane nobis ex diametro pugnans, Eboracensis ille, hic Carnervanienfis. Hæc si tu nimis *αὐτιγματοῦς* dici putes, quia Oedipus non es dicam apertius. Mertonensis Sayvillus; et collegij Omnium Animarum socius Williams. Constanti hoc fama audivimus, verum an sit, eventus tandem aliquando comprobabit. Sunt etiam aliqui qui Fulbeckum huius operis architectum existimant. Deprehensus est superiori mense quidam cui Sommerfeldio nomen est inditum, læsæ maiestatis reus, qui palam nescio quo furore inductus, professus est se Reginam nostram Serenissimam morti traditurum. Hic Londinum tranflectus et torturæ appositus multos magni nominis generosos et nobiles eiusdem propositi reos nominavit. E nobilibus præter cæteros nominatur [Dominus Henricus Hawarde comitis Arundelij (erased in original.) germanus frater], quem papalis bulla archiepiscopum Cantuariensem creavit, qui sacerdotalibus etiam sacris animam agente Campiano initiatus est. E generosis præter alios reus designatur quidam Frogmortonius, in cuius bibliotheca repertus est codex manu scriptus, qui portus omnes per vniversam Angliam recensabat, earum tum latitudinem tum profunditatem depingebat, quotque navium vnaquæque capax effet demonstrabat. In illo etiam codice continebantur descripta generosorum omnium et nobilium qui Romanæ seu Babilonicæ faverent superstitioni, nomina, quidque tandem auxilij habituri essent Pontificij, si collectis copijs, militeque conscripto Angliam invaderent. Quid multa? Non satis mirari possum, quid impio et inepto rasorum gregi animi sit, vt post expertam toties tam præsentem divini numinis

opem pergerent etiam adhuc nefarie *θεομαχεῖν*. Habitans autem in cælis videt, et Dominus subfannat eos. Sed *θεολογεῖν* nolo. Novorum præterea nihil. Causa mea nondum eum consecuta est, quem opto exitum. Expecto singulis horis magistri reditum: aulam enim regiam iam diu frequentavit: vbi advenerit videbimus quorsum evadent omnia. Ego interim optima sperare non desino. Si ea qua sperabam maturitate transactum fuisset hoc negotium, in agro Eboracensi festum hoc proximum celebraffem . . . Vale mi Stephane, Battumque tuum vnice amantem perge amare.

E collegio Aeneanafenfi. Dec. 18. 1583.

Cognatus tuus tui amantissimus

Robertus Battus.

APPENDIX D

Letter from the Bishop of Lincoln. May, 1572.

To my lovinge freends the Principall and fellowes of Brasenoose colledge in Oxon give these

Salutem in Christo: whereas I have bene moved by certaine of your fellowes and by your letter signed with your common seale to grant my consent touchinge the alienations of your landes in Lincolnshire subiect both to the overflowinge of the seas and the Leavey for maintenance of the sea bankes: These shal be to let you understand that I thinke it convenient and agreable with your statutes (perceaving as well by your rowles of accomptes heretofore hadde as also by other provable circumstances the common charges of the sayde landes to be gretter than your colledge is able to sustaine) that you make sale thereof: and by these presentes I give my consent to the alienation doinge away and selliage of all your landes in the countye of Lincolne, taxable for the maintenance of the sea bankes neverthelesse this I will and require that the sayed alienation be made by the discreete advise of the principall and sixe senior fellowes of your colledge, or at the last by the maior part of them: Allso that such sommes of money which shal be receaved uppon the sayde sale, be

eyther presently bestowed in purchasinge more profitable landes to the comodity of your colledge, or ells reserved in the university chest, Magdalen Colledge or `ells some other the like safe place untill better oportunity serveth for the disbursiage of the same to the effect and use before expressed thus wishinge to you encrease of vertue and lerninge but especially god his true religion to be planted in all and singular members and studentes of your Colledge, I bidde you most hartely farewell

At Lambeth the 15 of Maye anno domini 1572

Thomas Lincoln.

XI

History of the College
1603–1660

The Early Stuarts

The Civil War

The Commonwealth

By G. H. Wakeling M.A.

Fellow of the College

Illustration to Monograph XI

Receipt for the Loan of the College to Charles I . . . *to face p. 31*

PREFACE

THE books and documents preserved in the Muniment Room of the College contain the chief sources from which this sketch is derived. Of these some of the more important are mentioned in the text. There are also MS. records in the Bodleian Library of some interest in the history of the College, and, by the constant kindness of Mr. Madan, I have been able to consult these. Of printed books the famous volumes of Anthony Wood are, of course, indispensable. The Oxford Historical Society's series, the Calendar of State Papers, the publications of the Historical MSS. Commission, and Burrows's *Register of the Visitors* (Camden Society), all contain references to Brasenose.

I wish to thank Lady Newton for allowing the College to have a copy of the *Taylor Letters*, and Mr. P. T. Davies-Cooke for permitting me to read Eaton's *Pupill Booke of Accounts*. Mr. W. T. Coxhill has placed at my disposal his remarkable knowledge of the College Muniments, and thus made possible the reading of these in the short time which I could give to the work. In a monograph of this kind I have not thought it necessary to burden the text with constant references, though a few seemed unavoidable.

G. H. W.

BRASENOSE COLLEGE, OXFORD.

1603-1660

DURING the seventeenth century a medley of religious and political disputes convulsed the lives and shaped the conduct of Englishmen. Of these divisions Oxford became and remained, to a remarkable degree, the witness and the victim. Every wind of doctrine, every breath of partisanship swept into the atmosphere of University life. The Reformation had passed and the real issue was still unsolved. For the Church of England must either destroy, absorb, or tolerate the great body of religious thought represented by the term Puritanism. The Stuart Kings and their allies the Bishops felt that Puritanism must be destroyed. But they added to the trouble by formulating a conception of monarchical rule which seemed to challenge English rights and liberties. Thus authority, alike in Church and State, was confederate against a religious and political opposition, strong in Parliament, and determined to be stronger.

These storms beat upon Oxford throughout the first half of the century with a force unknown before or since. Here Hobbes learned to fear the disruptive tendencies of Puritanism, and here Laud lived and ruled in order to uproot them. Here Charles and his court frolicked and fought. Here Cromwell and Prynne became Chancellor and Visitor. It was thus that the simple life of an Oxford College was made the sport of circumstances outside itself and alien to its province. No College could escape this, and the history of Brasenose was dominated and controlled by the events of the greater world of civil and religious strife.

The period covered in these pages admits of an easy arrangement. During the first four decades of the century,

these seeds of combat were maturing in the national life, and in the fifth they brought forth war. It will be best to take first a general view of the life and history of Brasenose at that time, and then to show how the College was affected by three critical epochs—the War, the Puritan Visitation, and the Commonwealth. The views held by Brasenose men upon the momentous questions of that time will, in this way, be displayed by their deeds. It would be easy to dwell, at the outset, upon the northern connexion and royalist tendencies of the College. And, as men stayed in College all the year round in those days of laborious and expensive travelling, becoming, to an extent unknown in these days, what the College could make them, there might seem to be some justification for such premises. But to argue from them would be erroneous. Brasenose men were found on both sides. Lancashire was a strong Presbyterian county. The period is too long for a dexterous and inclusive statement. The College must be left to tell its own tale. And if, among other greater institutions, the part played by her sons appears at times inconspicuous, it was never lacking in spirit, and never paltry.

I. GENERAL HISTORY OF THE COLLEGE, 1603-1660

It requires some effort of the imagination to picture the appearance of the College at the opening of the seventeenth century. It consisted solely of the present old quadrangle, divested of the gables and attics. Citizens' houses ran along the High from St. Mary's, while the place now occupied by the Library, Chapel, Cloisters, and new buildings held a few old Halls. Some of these were connected with the College, and formed a residence for Tutors or scholars. From this small space a further reduction must be made. The present Senior Common Room was the Chapel, the large rooms behind the sundial formed the Library, and most of the east side of the quad, with the tower over the lodge, was used as the Principal's lodgings.

It comes as a shock to be told, in the famous census of 1612,¹ that into these narrowed confines were packed no less than 227 Brasenose men! These numbers are twice our own, and the available space was scarcely half. Such a total constitutes a challenge, and fortunately the Buttery book for 1612 is available. The figures printed by Gutch are:

Principal

21 Fellows

29 Scholars

145 Commoners

17 Poor Scholars

14 Batellers and matriculated servants.

The census was taken in the Long Vacation, and the numbers on the books during July and August prove that it is not accurate. There were only 20 Fellows, and the compiler has counted *Domus* as the 21st. He has probably reckoned the poor scholars a second time as batellers, and a third time as receiving commons. But the commoners actually reach a total of 133, and the whole company just touches 200.

This figure is sufficiently astonishing, and would still be inexplicable but for the system under which they lived. The large rooms, each of which is now a man's sitting-room, were then bedrooms. Each was used by one Fellow or senior member, and several of his 'schollars' slept in truckle-beds in the same 'great chamber'. The present bedrooms were 'studies'. This solves the mystery of space, and that of comfort remains. The numbers in College continued high throughout the first forty years of the century, despite frequent plague in Oxford. And if the year 1612 seems to have constituted a record, yet the Buttery books show a company of well over a hundred till the approach of civil war threatened vacant rooms and empty coffers.

Compared with other Colleges at this time, Brasenose appears to have occupied a strong position. In numbers, accepting the census of 1612, it stands fourth, the order being

¹ Gutch, *Collectanea Curiosa*, I. 197.

Queen's, Magdalen, Christ Church, Brasenose, Exeter. The income of the Principal is returned at £80, and here there are six Colleges showing higher figures. In the matter of revenue from endowments Brasenose falls to eighth, while in the number of Fellows it is again seventh on the list. In rateable value the College stands once more in the eighth place. The figures for matriculation, extending over a longer period, will be a fairer test of numbers than a census in any single year can give; the University Registers from 1600 to 1620 show that Brasenose recorded more matriculations than any College except Exeter, Queen's coming third, and Magdalen Hall fourth.¹ These comparisons sufficiently indicate the relative position of the College, though a few more figures on the same subject will be given later.²

The Head of the College from 1595 to 1614 was Thomas Singleton. He became Vice-Chancellor in 1611, and successfully dealt with some refractory Masters, who wished to keep their caps on during Congregation. Long before Singleton's death King James I, with prying tactlessness, wrote to the Fellows and asked them to elect as Principal one of their body, Henry Walmesley, 'who had deserved well of the College for his pains in reforming disorders'. But this accumulating zeal went unrewarded, for on Singleton's death he was succeeded in 1614 by Samuel Radcliffe, who will be in some sense the hero of this story.³ Born in 1580, at Rochdale, and joining the College at the age of seventeen, he became Fellow in 1603. He held the Junior Proctorship in 1610, during the Chancellorship of Thomas Egerton, Lord Ellesmere, who was a Brasenose man. Thus, during the years 1610-12, the College supplied Chancellor, Vice-Chancellor, and Proctor. Radcliffe attained to the highest post

¹ Even the Matriculation Registers are probably not a final authority as to numbers. It is possible that many members of Colleges evaded matriculation. This is partly explained by the increasing desire to avoid subscribing to the XXXIX Articles as required by the University. In Brasenose there was a College order exacting this conformity.

² See pp. 33, 35.

³ For the Visitor's confirmation of his election, cf. Appendix A.

in his College at the age of thirty-four, and remained Principal for four and thirty years, dying in 1648. He guided Brasenose, with what success later pages will show, amid constantly increasing difficulties, through the miseries of civil war and tumult, and finally challenged successfully the efforts of the Puritan Visitors to remove him from his lodgings and his headship. He left to the College a noble benefaction, and an attempt will be made to remove some aspersions by which Wood has impugned his honour. He was not a distinguished literary man, nor a great scholar, though he contributed many copies of verses to the elegant anthologies of the day. The following was written in honour of the Queen's visit to Oxford in 1636:

*Felix affulsit sydus Nutricibus: Eia
Vestrum onus est requies, est vigilare Sopor.
Quae non aeternum somno mulier valedicat,
Audiat ut lachrymas (Diva puella) tuas?
Quam volupe est manibus teneram tractare, cutiq;
Vestes aptare & caetera? Quae mulier
Haereat (hoc Casu) totâ cum gente virorum
Certare, & pignus jure referre suum? ¹*

That he was a student is shown by the fact that he was one of the young scholars selected in 1608 to receive a present of books from the library of Dr. Reynolds, the 'walking Library', President of C.C.C. The theses upon which Radcliffe successfully disputed for his D.D. are recorded in the University Register:

An papa sit iudex controversiarum? Neg.
An Certitudo salutis sit praesumptio haeretica? Neg.
An fidelis possit excidere a gratia?

The result of the third contest is not recorded, but it would probably not have removed the prejudice which led Wood to class his tutorial influence as 'Puritanical'. The same writer also records that Radcliffe was apt to make unintentional jokes: 'a proud man will buy a dagger' (die a beggar). But

¹ *Flos Britannicus*, 1636.

his character need not be left to the stinted mercies of the great antiquary.

The Fellows, provided for by various foundations, were twenty in number. But their position in College was, and remained till modern times, very different from that which they now occupy. Only the six seniors acted, with the Principal, as the governing body. The others were more like senior scholars. They were often very young. John Newton was elected in 1622 at the age of eighteen. Some of these stayed on and took their chance of succeeding to the seniority. Others, since they were mostly in orders, became domestic chaplains,¹ or accepted livings from the College, or some other patron. The income of the Fellows was made up of a medley of small payments, some in kind. But it is not easy to give an exact idea of their value. The complicated business arrangements of those leisurely days, together with the accumulating customs and precedents by which they were hedged about, preclude exact knowledge as to their financial position. But it is possible to give some notion as to the sources from which the income was derived. Food and 'commons' were provided from the income of the estates belonging to the various foundations. 'Wages' were paid in cash for the different College offices, which were held in turn.² There were also several exhibitions and lectureships for which small payments were made.² The benefactions given to the College usually included a fund for 'Commemorations', occasions when free dinners and a small gratuity were the rule.³ The Fellows also shared the fines, heriots, and 'wood money' derived from the estates belonging to their several foundations. Finally, the balance of the income from estates, if any, was shared each quarter among those entitled. This versatile income may perhaps have amounted, in lucky times, to nearly £50 a year, but that is to be multiplied by three or four to give the modern purchasing power.

¹ For this appointment the usual salary was '£20 yearly and diet'. (*Taylor letters*.)

² See Appendix B.

³ See Appendix C.

The Fellows were elected either from the statutable county, as required by the foundation upon which the Fellowship rested, or as Founder's kin. Hence their pedigrees were carefully prepared and filed, and many are still preserved. Besides the official work to which reference has been made there was plenty of occupation. The Tutorial system was a very serious business, there were services and sermons in College and in St. Mary's, and frequent oral examinations in College and without. The Fellows do not seem to have possessed a common room, though they had supper parties in the Tower Bursary. They dined in Hall at the 'high messe'. They spoke, or were supposed to speak, Latin at all times, and the same obligation was laid upon the undergraduates. This proved as irksome to them as it seems to us, and, except as a means of curtailing debates of the governing body, cannot have been very useful. It had to be constantly enforced from without, which shows how little it suited opinions within. Laud, of course, tried to make it a reality, and the Parliamentary Visitors in 1648 insisted upon it, though they obliged by allowing Greek as an alternative. In 1609 the Fellows asked the Visitor's ruling as to whether the Chancellor's order for speaking Latin was meant to apply to the senior members. His reply was correct and disappointing, 'I do wish you submit yourselves to the order'. Another infliction in Laud's time was the necessity of wearing the proper canonical clerical dress.

A good deal of lecturing and other work was done before dinner, which was at 11 a.m. After this, University disputations went on, or a horse could be hired to go to Nuneham and back for 1s. 6d., or to visit Mynchery Wood, at Shotover, and see after the tree-felling, in which all had a pecuniary interest. There was also a good deal of visiting College estates, and this took time. After a morning draught, which seems to have taken the place of breakfast, the Bursar, in his new boots, provided annually by the College at 10s. a pair, might start *ad tenendam curiam apud Roland wright*, and others would be invited to join the progress. A horse from Saturday to Monday cost 2s. 6d., and this was an inexpensive

week-end, even if it has to be considered as nearly half-a-sovereign of modern money. Supper was at five or half-past, taking place, like the early dinner, in Hall. The frequent 'commemorations' made a good many social events, and if it were winter there would probably be a fire in Hall, provided, for a treat, by *Domus*, at a cost of 1s. 3d. This was an open fire, be it remembered, the smoke escaping as best it could through the 'louver', still seen in the roof. Wine was used in Hall. There was 'clarott' at 8d. a quart, or 'whyte wyne' at 12d., or possibly 'sack'. Private parties would be held, as now, in the Tower, where the refinements of life were to be met in the shape of 'napkins', 'candlesticks of y^e new fashion', or even, in the middle of the period, pipes and tobacco. On some commemoration days there would be visitors. The Warden of New College attended more than one of these by right of the foundation, and received his little payment with the rest. But the entertainment was already out of proportion to the original gratuity.

Mrs. Morley's Commemoration.

Paid ye Warden of New Coll VIIIId.

For a dinner ye same day for ye Warden 53/.

For wine at ye same dinner 11/8.

But this is not all. Sometimes the Warden, or Subwarden, came early, probably to Chapel, and stayed to breakfast, while waiting for the 11 o'clock dinner. 'Spent in ye Tower at the entertainment of the subwarden of N. College at Mr. John Cox his commemoration in ye mornynge in sugar and nutmeg 10d., 1 pint of sack 8d.' Besides these festivities there was also good cheer at Christmas and Easter, when the Bursar would pay 6d. for a 'piper in Hall', or the 'Whitney singers' would perform in the minstrels' gallery.

As to holidays, it must be remembered that travelling was expensive and tedious. Men started 'towards London', an ominous expression which serves to remind the reader that the journey took two days! If holidays were taken and visits made, there was no recognized time for such efforts, and hence no impression is made upon the evidence which has

come down to us. Yet it was always possible that the accidents of life would contrive to empty the College, though periods of vacation did not. Visitations of the plague were frequent, and that mediaeval menace was never wholly out of mind. On such occasions the whole College would get leave of absence, and only those who could not afford to go remained to face the danger. What this meant to those in positions of responsibility is vividly described in Taylor's letters. To the father of two of his pupils he writes in June, 1609, when two people had already died in College:

There hath bene some danger of y^e sicknes here in Oxford, but the feare of it, as I take it, was greater then the danger, although I confesse the danger was very great unto some fewe, and amongst them, to Mr Vernon, one of the fellows of our house and to his scholars, but the feare was communicated to manie. I thanke God, I sawe the danger, where it was, at the first, and tooke order accordinglie, that we mixt not ourselves with any who were within the suspition thereof. My purpose was, and so I had provided a house to have gone to Ensam and there to have lien together with my compenie, but the very day I was about to remove, word was brought me, that the sicknes was in the towne, whereupon I sent a messenger p^rsently into Sussex, with letters to three or foure gentlemen, whose sonnes are likewise with me and to my brother Leigh for horses, and the gentlemen have sent horses for their sonnes and my brother Leigh hath sent a coople of horses for Francis and Thomas, and God willinge I will bringe them into Sussex and stay there with them some foure or five dayes, and then will returne to Oxford again for I doubt not but our college is nowe very safe to such as are not dainted with over much feare.

Another hindrance to the permanence of academic life was the possibility that Oxford might be chosen as a convenient place for Parliament. This occurred more than once, and notably in 1625, when the Privy Council sent down an order: 'that the Colleges are to be freed from the Fellows, Masters of Arts, & Students, and all the rooms and lodgings therein reserved, to the end that the Members of both Houses may be received and lodged with the best convenience that may be'. Whereupon the governing body decreed: *perlectis literis Regis consiliariorum de Comitibus Regni habendis ad Academiam missis, ad mandatum Regis venia concessa est omnibus magistris, Sociis, Baccalaureis, et Scholaribus*

ut possint abesse a Collegio usque ad magnum computum Bursariorum, servatis suis in Collegio emolumentis, quibus praesentes frui solebant.

Of Tutorial work in College the evidence is at hand for a fairly complete picture. There are the letters written by one of the Tutors, Richard Taylor, during the years 1608-12, to a Cheshire magnate, Sir Peter Legh, whose two sons were in College. These, with the *Pupill Booke of Accounts*, kept by Ralph Eaton during the Commonwealth, show two Tutors hard at work at different parts of the period. Their duties comprised not only the arrangement of reading and work, but also the complete management and supervision of all the financial side of their pupils' life. They secured from parents or guardians sums of money, paid battels, tradesmen's 'notes', and accounted for the whole expenses. This was not so unreasonable as at first sight appears. The undergraduates were very young, and their temptations considerable. There were innumerable ale-houses and eating-houses, where expensive habits could be indulged. There were dangers lurking in citizens' houses, where 'bowling allies, cardes, tables, dice, shovegroat, trunks, or other disordered and unlawful games' could be enjoyed. The Oxford tailors were said to 'inveagle young gentlemen into new and chargeable fashions, contrary to the desires of their parents, and the direction of their Tutors, meerly to enhance their own prices'. These 'enormities of apparel' seem to have led men to 'wear boots and spurs together with their gowns', and 'to wear their hair undecently long, or with a lock in the present fashion', or to walk abroad with 'slashed doublets, or in any light and garish colours'. Despite these precarious surroundings, the elder Legh seems, when a B.A. and candidate for a Fellowship at All Souls, to have resented his Tutor's control in money matters.

Your elder sonne thinks he shoulde keep his owne money, which I hould altogether inconvenient, for experience hath taught me that some yonge gentlemen can hardly be kept in any order, let them but have an angell or two in their purse. . . . It will not be in my power, on Fradayes and Satturdays suppers to keepe them out of the towne, as nowe I do,

nor at many other times to keepe them out of the worser and unthrifter sort of gentlemen's compenie, if they be knowne to have money in their custodie. Nay they should loose the favour and likinge of some of their frends, if they would not lend them money at their need, and if they lent it they would be in danger to loose their money, besides it would breed me a great trouble with the rest of my scholars, and bringe such an ataxie and disorder amongst them, that I could not easelie remove.

Taylor suffered many things from the system he so zealously defends. For he had constant difficulty in persuading Sir Peter to send enough money to keep his two sons solvent. He allowed about £30 a year for each of them, and in the course of events this barely covered their normal expenses. Taylor writes pathetic appeals for a little more sustenance. The elder, Francis, he cannot keep 'within the compass of £30'. He has cost nearly three pounds more than Thomas since August, 'neither can I impute it to anything but his height', which is 6 ft. 2 in.

Here, again, is a dignified petition :

I am sorye that I should be inforced so often to mediate in a matter wherein I do so little prevaile. Your sonne Mr Francis must needs have a gowne, a civill hood a cappe and an habit, a suite of apparell, and divers other things whch he wants, or els he will not be thought fitt by many, to become a suiter for a fellowshippe in All Soules.

It should be mentioned that the Bursar took no note of these embarrassments, and Taylor had to regularly pay his pupils' battels, whether Sir Peter proved yielding or no. The accounts of Eaton, forty years on, do not show such searchings of heart, for parents had by that time to recognize the effect of rising prices, which had been a marked feature of the whole period. Taylor had appealed in vain to this compelling economic force. 'The great dearth of all things, especialle in this place, have raised their expences in short time so much, that the money wch I have receaved, wch was just three-score pounds in the whole, was neere quite ended at Michael-mase last, and yet I am sure there is none of their rank wch have lived so thriftelie as they have done.' But the payments made and recorded by Eaton disclose much that concerns the life of the undergraduates, and to this side of College life it is time to turn.

Apart from M.A.'s and B.A.'s in residence, who were not Fellows (and of these there was a considerable number), there were three distinct classes of undergraduates. The first class is variously termed 'socio-commensalis', fellow commoner, and, in more modern times, 'gentleman commoner'. The second class was that of commoner, communarius, and, in some of the Buttery books, 'commensalis'. The third was 'bateller', or batellarius. The 'scholars' proper, who were on the various foundations, were members of the two last classes, and, though they were separated in the Buttery books, the actual term 'scholar' might be used for all undergraduates. The daily life, expenses, dress, and habits of these three classes varied so much that it will be best to deal separately with them, and then to sketch such parts of College life as were common to all.

The fellow commoner was entitled to take his meals with the Fellows at their table, but, in other respects, he was under a Tutor, and had no control of his own affairs or finances. His expenses in the middle of the century might come to £50 a year or more. On entering the College he paid £1 to the Vice-Principal, 10s. to the servants, 13s. 4d. to the Bursar for entering his name, and a like sum to the University for matriculation. His caution was £5, and he paid his Tutor £2 a quarter as tuition fee. He has his own study and bedroom, while less privileged people have to sleep three or four in a room with their tutor. A feather bed, weighing 60 lb., is purchased for his use, and a great box in which to lay his 'linnon', this latter costing his Tutor £1 18s. a quarter to wash and mend. His gloves are of 'kidde' or 'Cordovan' at 3s. a pair. Frequent visits to his dancing-master, and possibly to his fencing- and music-master as well, are a necessary part of his polite training. He wears a coat that cost a fortune, £5 15s. 7d., and purchases 'cambricke' to make his bands. He is probably an offender in the matter of hair, for it is elegantly treated with powder, bought at 3s. per lb. from the College barber, whose boy he tips 1s. 'to his box at Christmas'. There is a suspicious iteration in the sums which his Tutor registers for mending windows, and he has to pay 3s.

for broken glasses when his brother comes up from the country to dine with him. He has even been known to owe the butler 10s. 'for curing a hurt which he gave him.'

The ordinary commoner is a less distinguished person, though he is probably the son of a gentleman, and has fair means. He pays his fees on entering the College at a lower rate than the fellow commoner. Below these two classes in the scale came the bateller. He is a really poor man, and his fees are small, 5s. to the V.P., 2s. 6d. to the servants, and 3s. 4d. for matriculation and the Bursar's book respectively. He, too, wears gloves, but they are of wash-leather. He buys a 'gound 2nd hand' for 12s. or 14s., and his study is neatly 'trimmed with green bays' for 6s. 2d. He feeds, it is to be feared, upon the remains of the meals in Hall. If, as may well be, he is a scholar, he has some 15s. a quarter taken off his battels. In this case he will have to wear a 'surpless' in chapel, and gets it mended up for 3s. by his bedmaker. This latter is a woman named 'Goody' Ward, or 'Goody' Seymour, who washes, mends, and works for the Tutor and all his 'compenie'. She is a handy person, and may even contrive to lend him a bed for 4s. a quarter. Great care is taken that she be 'an auncient woman'. This youth ekes out his slender livelihood by acting a 'servitor' to some among the wealthier pupils of his Tutor. Perhaps he waits on two or three of them, and receives credit on his Tutor's books at 6d. or 1s. a week for each. He pays only 10s. a quarter for his tuition fee, and gets something allowed him for 'reading' to other men. It was from these poor lads, with their menial duties, that the Fellows were often drawn. Nor were these servitors looked down upon. The pupils of each Tutor lived in College almost as closely united as if they were one family, and were styled by Taylor his 'compenie'. If some of them waited upon him or his party in Hall or in the common bedroom, they remained members of the band.

Perhaps the most striking point about the undergraduates generally is their youthfulness. Newton (mat. 1622) came up at thirteen, but this was exceptionally young for the seventeenth century. The ages are most difficult to trace. Men

were matriculated perhaps months or years after entering the College, and often the sole guide to their age is matriculation registers. These show that the average age of Brasenose men was, at matriculation, a trifle below seventeen in the first part of the period, and a very small fraction above seventeen in the latter part. But this probably means that the actual age of the first-year boys was distinctly lower than this. These tender years explain some of the facts. The lads were probably chastised by the Vice-Principal when necessary, and the Laudian Statutes insist upon corporal punishment for breaches of discipline *si per aetatem congruat*. This sort of thing was a very ordinary item in a distinctly strenuous life.

The day begins with Chapel, which is of course compulsory, and takes place at 5 a.m. in summer and 6 in winter! Then there are public lectures at 8, unless it happens to be Tuesday, in which case there is University sermon at 7 in St. Mary's, only to be cut with good reason. The University lecturer will have to be fetched, and conducted to his lecture room by 8 o'clock. It may be philosophy, grammar, or rhetoric, according to the stage of academic life which has been reached. The process for a degree is long and complicated, comprising public and College lectures, disputations in Chapel and in St. Mary's. All examinations are oral, and hence large numbers of men cannot be taken together: disputations and exercises must be taken severally, and this makes a long business for juniors and seniors alike. The system indeed defeated itself, as is proved by the mass of dispensations which issued from the proper quarters with great regularity. Illness, plague, poverty, flood, or even the absence of the 'opponent' might easily suffice to set a man free from some lecture or examination.

The morning has been consumed with these things, or spent in evading them, and now there is dinner in Hall at 11. Here all must speak Latin, and if it is Friday there will be nothing but fish to eat. If fasting is compulsory, variety is ensured in the following *menu* for over a hundred people:—

ling 2/6: greenfish 1/4: egg 4/6: Jack 2/6: eills 1/: perch 1/8: roach 6d: whiting 1/8: place 1/8: smelts 2/: herrings 1/: oyst 2/6: oyle 4d.

After dinner the undergraduate may have to dispute between 1 and 3 o'clock in one of the many oral exercises which form the avenue to his degree, or be similarly entertained in College, or act as opponent for some one else. If he is well off he may go for a ride in his new riding coat and hat, or indulge in the polite pastimes already referred to.¹ His other recreations are few. Bathing is forbidden, and fishing is rather childish. He might go and see a football match if there happens to be one. But this is not very reputable, will probably end in a row, and, as he may not leave College without a companion, they may think better of it. Games of ball are strictly forbidden, but the Fellows (1608) have lately written to the Visitor to see if this cannot be evaded by his interpretation in favour of a tennis-court (*sphaeristerium*) which they propose to build in College. The Visitor replies that he is 'inclinable', for 'though bodily exercise profits nothing to merit in religion, yet it availeth much for health after intermission from studie. Bowes and braynes, if long and deeply bent will quickly weaken and cracke.' Despite the Bishop's pliability with respect to the statute *de pilae ludo* it does not appear that the tennis court was ever achieved. The College was probably too poor to carry out any such ambitions. The young man must be content with a walk, and if he meets his seniors he must give them place, and reverently salute them by uncovering his head.

If he is reduced to return to his books he will work either in his own little study or in the Library, of which he has a key, and which he has solemnly sworn not to prejudice. Of the books purchased for him by his Tutor, some of the following will be found on his own shelf²:—

¹ See p. 16.

² This list is taken from the purchases made for his pupils and recorded in Eaton's *Pupill Booke of Accounts*.

Lucius Florus, *de gestis Romanorum historiarum lib. iv.*

Lyford, William, *Principles of faith and good conscience digested into a Catechetical forme.*

Sydney, Sir Philip, *The Countesse of Pembroke's Arcadia.*

Sanderson, Robert, D.D., *Logicae artis compendium.*

Stahl, Daniel, *Axiomata philosophica.*

Isendoorn, *Logica Peripatetica.*

Wollebius, *Compendium Theologiae Christianae.*

Some of these afford proof of the mediaeval character attaching to the studies then in vogue at Oxford. The afternoon ends with evening Chapel at 5 or half-past, according to the time of year, and there is supper in Hall immediately afterwards.

In the evening every one must be in College by 9 or risk a beating. This is reasonable enough. For though the youth has a 'lanthorn and tinder box' of his own, they are not sufficient protection in the ill-lighted streets of the town. The V. P. is not unlikely to look in upon him in his study to see if he is there. If the young scholar has been in for some examination he may have got leave to give his 'opponent' a supper in the Hall. But the Fellows are strict in limiting the sum he may spend in this way. There is a sumptuary law in College in respect of examination suppers. *Nullus scholaris qui generalis creabitur expendet in cena generali ut vocatur ultra 3/4 in cibis praeter panem et potum nisi sit filius nobilis idque venia obtenta.* For freshmen there is a gaudie to look forward to, and every one, rich or poor, gets 2s. 6d. from his Tutor as his contribution to the 'freshmens gaudies'. The new comer will be awaiting, with mixed feelings, these initiation customs, when he will have to face his seniors after Hall. As soon as the Fellows have finished their supper, and amid the murky atmosphere engendered by a fire in the middle of Hall, he will be told to make a speech to provide sport for the elder men. If he acquits himself well he will be given drinks. If he is a failure he will be 'tucked'. Somebody, that is, may make his underlip bleed with a dexterous application of the finger nail, his drink will be 'salted', and he will have to

swallow it.¹ Such sport may seem somewhat disgusting, but these young people were not nicer in the matter of punishments than their elders. Brasenose Hall was soon to see an Oxford man with bandaged ears and seared cheek, who could tell how men were punished by courts of law.²

Of other inmates of the College mention must be made of the 'servientes' or servants on the foundation. They held a very respectable position, were often matriculated, and had right to commons. Manciple, Cook, Barber, and others appear regularly in the buttery book, and their status is best gauged by the fact that the Bible Clerk, who was perhaps in orders, was one of the number. He had charge of the Chapel and probably rang the bell. It is worthy of note that the bell now in use was made for the College during this period by a founder named Darbie. It is inscribed 'Ralph Darbie made me 1654', and appears to have cost £12 10s. The Bible Clerk was custodian of books and furniture for the services, and on entering office gave a receipt to his predecessor for the things committed to his care. This is Roger Porter's receipt for the year 1632:—

Communion Plate
 2 flaggons with lether cases
 two cupps and covers
 three copes
 foure cushions
 a pulpite cloath
 a cloth for the communion table
 2 books of common prajer given by the clarks of the parlamt
 five other common prayer books
 one greate Bible
 two prajer books for the 5 of aug & 5 of novem
 three old latin bookes
 The booke of Martirs
 a carpett for the communion table
 an other common prajer booke bought 1627

The Chapel was decorated at Christmas: 'Hollye and ivy

¹ O. H. S. xix, p. 141; *Reliquiae Hearnianae*, iii. 76.

² William Prynne, whose ears were twice cropped, and whose cheek was branded, by order of the Star Chamber (1637). See later, p. 48.

for the Chappell 2/-' (1635). There was a sermon every Sunday in term and out of term except during part of the long vacation, preached not necessarily by the Fellows, but by *unus e magistris collegii nostri*. The Holy Communion was administered seven times a year (College order of 1615), and there was catechizing of the juniors every week during term.

There is plenty of evidence to show that a good deal of hard reading was done in Brasenose by some of its members. One of Taylor's pupils overtaxed his strength in this respect, and the Principal wrote to Sir Peter Legh, 'your sonne Thomas havinge spent his spirites and tired his boddy with sundry conflictes in the heat of disputations especially this hungry tyme of Lent,' and the youth had to be sent home with the Vice-Principal, who was going into Lancashire. A very creditable inventory of the goods of one of the Fellows, who died in 1642, disclosed books to the value of £95, and other effects £12. The statistics of Brasenose masters admitted to read in the Bodleian at its opening in 1602 are equally encouraging. And the College Library, constantly reinforced by considerable gifts bequeathed by deceased Fellows, was certainly well used. Every one appears to have had a key. The books were chained up, a new catalogue was transcribed in 1635 at a cost of 10s., and there was a Library servant who had 2s. a quarter for sweeping there and in Chapel. The office of Librarian was not yet separated from that of *Custos Jocalium*, but as 'Keeper of the Library' his 'wages' were increased by Radcliffe's will (1648) to 40s. It is admitted¹ that College teaching was, at this time, more effective than University lectures, and great care was taken that men should be properly examined by the College Tutors before supplicating for their degree.² In 1614, perhaps by the initiation of Radcliffe, who became Principal in that year, four new lecture-ships were created, *Lector Philosophiae*, *Lector Humani-*

¹ O. H. S. x, p. 9.

² College orders, 1606-7. All who ask for graces to come before the Principal and six Senior Fellows to be examined 'quomodo progressus fecerint in bonis artibus ad gradum Bacc: spectantibus'.

tatis, *Lector Graecarum literarum*, and *Lector Hebraeae linguae*. A convincing proof that men did some reading privately is found in the consumption, even among the poorest, of wood and candles, which could only be used in their tiny studies.

One of the most far-reaching facts in the life of those days is certainly the immense cost of candles. Some excuse must be found for a community which took so kindly to early rising, and it is ready to hand in the excessive outlay on artificial light.¹ Candles, upon which everybody was dependent, were an item which could only be economized by getting up and going to bed in good time. Ralph Eaton bought them in London wholesale, and had them sent here by carrier, retailing them to his pupils at cost price, 6*d.* per lb. When a poor man lived upon £20 a year this was a heavy charge. If people in College were now dependent after dark upon malodorous and ineffective rushlights at 2*s.* a pound, they might contemplate without dismay the prospect of hearing the Chapel bell begin to 'swear' at 4.55 on a summer's morning. The versatile Sir William Petty,² when Vice-Principal in 1651, was as good a mathematician as physiologist, and was quite capable of drafting a 'daylight bill'. But all such problems were solved for that generation by the price of candles. Small wonder then that the remnants of candle-ends from the Chapel were the cherished perquisite of the Bible Clerk.

Wood ascribes to overcrowding the periodical liability to plague. Brasenose was certainly surrounded by a multitude of small and probably insanitary tenements. The cluster of houses lying where the Camera now stands between All Souls, Brasenose, and St. Mary's, was considered an eyesore, and one Chancellor of the time made an attempt to clear them out. Then the streets were indescribably unclean. It is to be hoped that the College itself was kept wholesome, and there is a commendable record of sums paid for removing

¹ Thorold Rogers, *History of Agriculture and Prices*, v, pp. 381-2.

² See later, p. 58.

'rubbage'. The drainage system was perhaps not free from suspicion, and consisted of a huge pit beneath the ground upon which the present ante-Chapel stands. It was emptied every fifteen or sixteen years at a cost of £30. The new buildings,¹ of course, rendered necessary a revision of this arrangement. It is rather ominous, too, that the nearness of the houses around made the College a resort for not very discriminating scavengers, for the Bursar was known to lay out 1s. for 'killing and burying of cats and dogs about the college'. Nor was there much open space, for the present quad was filled with trees; but, apparently, there were the rudiments of the 'deerpark', for it cost the Bursar 6*d.* to have the grass cut 'at the back of the Hall'.

There was not much communication with the outside world, for the carriers were few and far between. Yet Eaton's pupils could get a letter posted for 2*d.*, if he were willing to advance the money. This isolation would make the frequent royal visits thoroughly enjoyed. Charles and his court were often here, and James is recorded to have looked in at Brasenose on his way from the Bodleian to All Souls. But such occasions, though they were celebrated by ambitious scholars who festooned the College walls with Latin verses, were regretted by the disciplinarians, who thought the society of courtiers taught the scholars 'debauchery'. The famous giant, known as the Child of Hale, whose colossal proportions are variously told by local enthusiasts, paid a visit to Brasenose, on his way home from the court of King James, in the year 1617. Here the Lancashire men would welcome their countryman, and the picture of the giant, together with an impression of his hand, were taken at the buttery, and afterwards proudly displayed to visitors like Pepys.² 'I out with the landlord to Brazen-nose College,—to the butteries, and in the cellar find the hand of the Child of Hales . . . long. Butler 2/-.'

As a complete list of works by Brasenose authors is now available³ it will not here be necessary to do more than name

¹ See later, p. 60.

² *Diary*, ed. 1854, iii. 459.

³ *Brasenose College Register*, 1509-1909.

the most famous with which this period is concerned. Something has been said of Lord Ellesmere, but mention should be made of the most famous of his judgements. The case of the *Post-Nati*, in which James I sought by a test case to establish the right of Scotsmen born since his accession to be held British subjects, is well known. It was Ellesmere's judgement in favour of the royal contention which nationalized Scotsmen and exasperated the House of Commons, where something more than the accession of James was thought necessary to bring Scots into English privileges. One of the best known of Brasenose men of letters is Richard Burton (mat. 1593), whose presentation copy of the *Anatomy of Melancholy*, from his study in Christ Church, is still in the Library. Miles Smith, Bishop of Gloucester, one of the translators of the Bible, and Jeremy Taylor, Bishop of Down and Connor (1661), were both connected with the College. Perhaps more interesting in modern times is Thomas Traherne (mat. 1653), for his poems have been only recently discovered, and are expected to take very high rank. Rescued, in our own day, by a series of striking chances, after two centuries of obscurity, this mystic and devotional singer has been hailed as the peer of George Herbert.¹ Deferred renown of a different kind befell also a certain Edward Fisher (adm. 1627). He wrote a tract entitled *The Marrow of Modern Divinity*. This theological morsel was, in the eighteenth century, reprinted by a Scottish divine, and served up as a 'marrow-bone of contention' for the Presbyterian parties, still disputing the relative merits of faith and works.²

If, in these years before the Civil War, the College was crowded and not unsuccessful, there is a darker side to the picture, for it is clear that Brasenose was desperately poor, and constantly in debt. This was partly due, no doubt, to the steadily rising prices during the first half of the century. A corporation, whose income would be apt to stand still, was hard hit by this stealthy fall in the value of money, spread,

¹ *Athenaeum*, Ap. 7 and 14, 1900.

² Andrew Lang, *History of Scotland*, iv. 284.

perhaps, over a length of time which would make it scarce sensible to an individual. There were also some years of severe dearth, which would mean arrears and bad debts. There are plenty of proofs. Every Christmas the common chest was inspected in the presence of the senior Fellows, *Visus est status Communis cistae*, and from the year 1600 to 1620 this 'view' showed empty coffers. Again, in 1628 the Visitor was appealed to under the following pathetic circumstances :—

Whereas James Mason, Batchelour of Divinity, and fellowe of Brasen-nose Colledge, lately deceased, indebted to severall Bursars, during the time of his sickness for severall yeares, in a great summe of money; by which meanes the said Bursars are not able to paye Bakers and Brewers, to the scandall of the Colledge; and, forasmuch as neither the execution of statute, or decree was able to prevent this debt, being for meat and drinke, unlesse we should have sufferd him, sick and weake in body as he was, without naturall compassion and fellow-feeling to have famished in Prison, as also during that time his weaknes disinabled him to read to schollars; neither had he any frend or kinsman that would either then releive him, or whom we can hope for now: soe as there was a necessity of falling into the debt, which in regard of the slendernes of our revenewes we cannot beare.

This shows a very narrow margin of solvency, and the Visitor was asked to allow the Fellowship to be kept vacant until the debt was paid, which he graciously permitted. But it was in the years immediately preceding the war that the College debts became a scandal so great that the Visitor instituted a formal inquiry into the whole financial position of Brasenose, and sent a body of Visitors to investigate. Fortunately there is preserved a complete account of the figures and conditions then disclosed. The College appears to have owed to tradesmen the enormous sum of over £2,000. The accounts for the next few years suggest that the Bursar, Yates (afterwards Principal), was an able man of business, as he afterwards proved himself to be. It is probable that he would have put things straight in time, but for the 'gulf of those days' of civil war, which completed the ruin of the place.

Before concluding this general chapter something should

be noted as to the condition of things just before the outbreak of troubles. Laud as Chancellor had found trouble in Brasenose, and perhaps created more. It is clear that he was not on good terms with the Visitor, Williams Bishop of Lincoln. This prelate was a moderate churchman, and inclined to take the line of least resistance. In the famous dispute, then raging, as to the position of the communion table in church, his pamphlet, *The Holy Table, name and thing*, suggested a compromise by which it should be kept at the east end, and brought to the centre of the church for the communion service. This, and the attempt of Williams to organize opposition in Brasenose to the election of Laud as Chancellor, had sown dissension between them. But the College cannot have been undismayed when later on Williams attempted to suborn some evidence in the Star Chamber, and thus fell into the power of that relentless tribunal, which imprisoned him for several years. When he was released Laud was already in the Tower, and Williams signalized his readmission to court by advising the King that he could sign the Bill for Strafford's execution since he had two consciences, one as a man and the other as a king. Charles had promised that no harm should come to Strafford, and Williams will be known in Clarendon's not undeserved phrase as 'that unhappy casuist'. Already in 1631 Laud had found opposition at the beginning of his Chancellorship in Brasenose itself. Some words in a sermon at St. Mary's had displeased his Vice-Chancellor, who had tried to imprison the preacher. This injured person appealed to Congregation, and the Proctors, one of whom was Bruch of Brasenose College, supported the appeal, appointing a delegacy to hear it. One member of this delegacy was a Brasenose man named Hill. All this seemed to Laud contumacious, and he appealed to the King. Charles banished the preacher, ordered the Proctors to be deposed, and commanded Hill, who had prudently left Oxford, to be proceeded against. Then Hill, finding the Chancellor too powerful, wrote him the following amazing letter¹:—

¹ Laud's *Remains*, 1700, ii. 47.

Right Reverend, my most Honoured good Lord,

How much I am bound to thank my good God, who in the midst of trouble hath so much blessed me with your Lordship's grace and favour to rowl myself upon. In confidence, that through these Clouds by your Lordship's goodness and mediation the Royal favour of my most gracious and blessed Sovereign will shine upon me. *Nemo proficiens erubescit*, saith Tertul. No man is ashamed to relate the story of his offence, when he is come to himself, and begins to thrive in the way of a better opinion and judgment. It hath been my great grief and misery, but to be thought to be possessed with that damned Spirit of opposition, which in Publick exercise I have cryed down and conjured, or to give fire to any factious Spirit to rebel against Authority and the breath of Heaven. *Omnis sermo ad forensem famam à domesticis emanat authoribus*, saith the Orator. I know no malice can truly prevent the credit of my words. I thank my God, I have been often an occasion of peace, and quietness within my College; Never was before engaged in any such mad affront, for which I shall ever condemn my self upon the Theater of my own conscience, and suspect my Leaders. How easy a thing is it for some men in some eminent and leading places to give occasion to quiet and temperate Spirits to Rebel against their own Conscience and ingenuity! Therefore (saith St Austin) might the example of Cato have prevailed much, when he slew himself, *non quia solus id fecerat*, not because he alone had done so, *sed quia vir doctus & probus habebatur*, but because he was esteemed to be a learned and an honest Man. Two glorious Titles, which touch and confine the hearts and affections of all good men, if they sometimes prove not false fires, to delude the World and cheat the weaker in their opinions. I must not much trespass upon your Lordship's many serious and weighty affairs. How gladly would I enlarge and unbowel myself in any Style of true and hearty submission! *Mihi fama posthac vilius constabit*. So beseeching the continuance of your Lordship's favourable respect, and good opinion of me, I shall be ever bound to pray for your Lordship's prosperity and happiness.

From Brazen-Nose
Coll. in Oxon.
Octob. 23. 1631.

Your Lordship's most humble
and devoted Servant,
Rich. Hill

The reader will scarce be surprised that this baffling apology did not satisfy the Chancellor. Hill wrote again in November, 'It hath added some degrees more to my Sorrows, that I have not given your Lordship better satisfaction'. In the end Hill seems to have successfully placated the Bishop, and will be heard of again. In 1634 a Fellow of Brasenose, Thomas Cooke, had to recant before the Vice-Chancellor for a sermon

in St. Mary's in which there were 'displeasing passages'. Laud had a weekly correspondence with the Vice-Chancellor, and in 1637 there is more difficulty from the same College. 'And concerning the Puritan, I see plainly, that Brazen-nose hath some as bad, or worse than Cook was about four years since. And that Greenwood, who preached on Sunday last, is like to prove a peevish man, which I am the more sorry for; because you write he is a good master of his pen, and therefore like to do the more harm.' This offender was the future Principal, who for this occasion was let off, for Laud thought it unwise to attack him, he having 'cunningly contrived to turn the Libellous part into a prayer'. But worse was to come. In 1638 Laud wrote to the Vice-Chancellor on the approach of Lent, to warn him that he must prevent disorder in the disputations. There was a game known as 'coursing', which consisted first in rival Colleges attempting to outdo each other in the schools, and then a running fight ensued on the way home to reverse, it may be, the verdict of the examination room. Their games were so far forbidden that it is difficult to blame them for thus getting some sport out of life. But Laud seems to have connected this sort of frolic with worse habits, for he added, 'And farther, I would have you speak with the Principal of Brazen-nose, that he would command their Cellar to be better looked to, that no strong and unruly Argument be drawn from that Topick-place.'

While the College was thus losing its popularity at Lambeth a Brasenose man had become famous by opposing authority in matters of state. But this time in a privileged position to which no censures came. Robert Holborne was counsel for Hampden in the famous Ship-Money case (1637). The tax was certainly illegal, but was claimed on the plea of emergency, *salus populi suprema lex*. In an argument lasting some days Holborne destroyed the contention for the prerogative, pointing out that the 200 days which intervened between the writ and the *rendezvous* of the ships was amply sufficient to enable the Crown to consult Parliament. He further showed that the common law provided for cases of 'instant danger',

when not only the Crown but the subject must do all that is necessary. Though Holborne and his client lost the case his argument contained the true answer to the royal contention, and the power of the Chief Magistrate to deal with emergencies is now not above the law, but part of it. Holborne, when the crisis came, was found on the royalist side. Like many another opponent of Charles's financial stratagems he was no rebel against Church and King. He sat in the 'mongrel' Parliament which the King called at Oxford in 1644, and his forensic abilities were used in the many negotiations which took place during the war.

The near approach of this calamity had little effect upon the tranquil course of life in College. The following letter from an old member of Brasenose looks as if all was well.

Good Mr Vice-Principall

I thank you, and the rest of yo^r Societie fo^r yo^r kindenes at my late being wth you in yo^r Colledge: and because I did understand yo^r desire of some other books not yet in yo^r Librarie, and did see that you have some vacant roome there, not yet filled; I have sent you herein inclosed a note of some books, w^{ch} I left behinde mee in my studie in London, that you may send for them as you want and have roome for. . . . I pray you remember my service and love to Mr Principall, who I hear is returned home, and in a good way of recoverie, w^{ch} God grant. Thus wth my praieres fo^r you and the rest of yo^r good companie, I leave you and them all to God's blessing. Wigan, August 16, 1642

Yo^r loving friend

Henry Mason

Six days after this letter was written the King set up his standard at Nottingham, and the storm broke.

II. THE COLLEGE DURING THE CIVIL WAR,

1642-1646

The autumn of 1642 witnessed the outbreak of a civil war which, to a remarkable extent, was focused upon Oxford. In the course of this contest Brasenose was to lose its vigorous and teeming population, and, after a chequered existence, half hotel half arsenal, was to be left a ruined and desolate place. In the first flush of the encounter no one here in Oxford

August 2^o. Fra^o. Dno 1642.

I receive of you 2 years above said of Exon-
non College in Exon for 20 Maistors wages
according to letters sent by the University of
Exon of sum of five hundred pounds say
so much received &

500.^o

per me D. Dig. Saworte.

seems to have realized what a long and fateful struggle lay before the combatants. The continent of Europe had for generations been rent and spoiled by religious war, and faint echoes of those storms may have reached the College when the Bursar gave at Christmas dole 12*d.* to 'a poore man maimed in the King of Sweden's wars'. But Germany was far away. And, though it is true that the horrors of that warfare were never reflected in England, yet few can have guessed, as the College contingent started for New College gardens to go through their 'postures', what ruin was to come of it.

As early as September 1 the University appointed a delegacy to supervise the defence of the city, and John Houghton, Junior Bursar of Brasenose, was one of the Delegates. This is the first mention of an interesting but baffling personality, of whom a good deal will be heard later. The mediaeval character of the expected warfare is shown by the bows and barbed arrows which were among the weapons he had to supervise. Each College was also separately organized, or the smaller ones were trained for the field in groups. The order for Brasenose College ran:—

Excester	}	Mr Charles Genings Commissioner	Thomas Rountree Pro ^u ost Marshall
Jesus			
Brasonnose			
Lincolne			

It was not until after the first important battle at Edgehill (October 23, 1642), that Oxford became the Royalist headquarters. But, before that date, the King had sought and obtained money from his faithful University, with a liberal promise of repayment, and interest at 8 per cent. To this loan the Colleges were asked to add each on its own account, and Brasenose contributed £500 to the royal chest. The slip of paper upon which the King's commissioner, Dr. Chaworth, gave a receipt for this loan is still in the muniment room.¹ It is the more interesting because, except for this paper, there is no other trace of the payment. Search in

¹ See illustration.

Rolls and account books entirely fails to show whence it came and how it was paid. There is, indeed, in the old Plate Book, a note that, at the *visus communis cistae*, of Christmas, 1642, £100 was extracted and given as a loan to the King. *Suma centū librarum ex consensu principalis & sociorū mutuo data est Regiae Maiestati*. Further, this £100 is mentioned in several later Christmas 'views' as *nondum soluta*, till it drops out as a bad debt. But, of the larger sum there is no trace. Yet it was most certainly paid. For, besides the receipt, there is clear evidence when, in 1660, after the Restoration, the debt is revived and set forth in the accounts of the year, as an asset! Bursar Houghton, who had survived those eighteen imperilled years, writes: 'A receipt of 500^{li} under y^e hand of d^r Richd Chaworth for moneys recd by him of y^e College for th' use of y^e late king.' The silence of the College records at the time of the loan is easily explained, for the Parliamentary forces might have occupied Oxford at any moment, and had already been in the town in some force before the fight at Edgehill. The House of Commons had also, on hearing of the gifts of the Colleges to His Majesty, sent down word that 'all the parties, actours, and contrivers thereof, are thereby liable to severe punishment, and shall for the same be questioned according to Law'. But the sudden revelation of the loyal loan on the credit side in Houghton's accounts in 1660 can only suggest some pathetic hope of repayment. If Houghton really thought that an astute humorist who had survived the tragedy of his family would be likely to pay their debts, there were children in finance even in those far days.

Early in the first year of war Brasenose gave its plate to the melting-pot in the same desperate cause. It was actually voted by Convocation, Jan. 31, 1643. This does not necessarily mean that it was given grudgingly, though it does mean that the contribution would have been difficult to evade. The plate was 'sent for' to the mint in New Inn Hall. The receipt for this also is in the Muniment Room.¹ It is as follows:—

¹ See illustration in Mon. V.

	January the 17 th , 1642.	
Rec ^d of the Masters & fellowes of Brasen Nose Colledge		w ^t w ^t
in Oxford in plate by them p'sented to his Matie & for		li. oz. ds.
his service. viz		108. 04. 10
In white plate		
In guilt plate		012. 10. 05

W^m Parkhurst
Thomas Bushell

{ White at 5 ^s ϕ oz comes to	325. 02. 06
{ Guilt at 5 ^s 6 ^d ϕ oz comes to	042. 08. 04
	<hr/> 367. 10. 10

The various quantities given by different Colleges provide another comparison to show the relative position of Brasenose. The order is Magdalen, All Souls, Exeter, Queen's, Trinity, Christ Church, Brasenose. The total of 121 lb. 2 oz. 15 dwt. sent in by the College, was to be paid for by the royal borrower at 5s. or 5s. 6d. per ounce, according as it was 'white' or 'guilt'. Of these priceless treasures, as they would now be held, nothing survived. The wonderful pre-Reformation chalices, dated 1498, were, of course, excepted from the mint order, and are still used in College.¹ One of the Fellows in residence, Richard Hill, who has been seen to be no friend of Laud, and was perhaps lukewarm in a greater cause, took steps to secrete, on the day of spoliation, the 'kan' which he had lately given to his College. But, characteristically, he never trusted the College with it again, and it was with some difficulty recovered from his executor, only to disappear later.² A few apostle spoons were also 'saved'. Six of these are mentioned, as still existing, in the codicil of Radcliffe's will in 1648, among the effects belonging to the Principal's lodgings; they occur in a similar inventory of 1660, but they have never again been heard of. In the case of the plate it is again tragically clear that the College expected to receive the covenanted repayment at the Restoration. For in 1660 Houghton writes in the year's account on

¹ See illustration in Mon. v.

² Mon. v. 26, note.

the credit side: 'a note und y^e hands of Sr W^m Parkhurst & Tho Bushell Esq dat 17 Jan 1642 for college plate rec^d by y^m for th' use of the s^d king which plate was valued at y^e sum of £120. 15. 3.' The trust which Houghton put in princes was, apparently, consistent with a damaging slip in his arithmetic, for he has added the two lines giving the weight of the 'white' and 'guilt' plate as £ s. d., instead of as lb. oz. dwt. The value in cash, at the promised rate, would have been £367 10s. 10d., and this ransom is endorsed upon the receipt in a later hand.

With the spring of 1643, the prospect of continued war admitted of no doubt among the more shrewd advisers of the King, and, on May 15, a letter was sent to his Majesty's representatives in Oxford, bidding them 'conferre with the heads of Colleges and Halls that they also provide against a time of need (if so it should happen)'. A 'magazine' of victuals was to be stored in each College against the risk of siege, and this method of insurance was at once carried out. Bursar Houghton has left, in the Visitation Book of 1643, a minute account of this reserve of provisions as it was laid down at B.N.C.¹ It consisted of wheat, bacon, salt butter, cheese, oatmeal, pease, and rice. The store was kept up for nearly four years, and the final account was presented to the Principal and Fellows on January 5, 1647. Here it appears that the total cost was £68 3s. 2d. But various Bursars, from time to time, sold the more perishable part, as it fell to be renewed, for £53 4s. 9½d., so that the net loss on the transaction was only £14 18s. 4½d. This was good management indeed, and the careful Houghton adds, with pardonable warmth, that the loss would have been less, only some of the cheese went bad in 1644 owing to 'the ignorance or negligence of the manciple'. It appears that this magazine was stored in the Tower, that is, in the present Upper Bursary, below the Treasury. Of this there are two proofs. In 1645 the Bursar paid 'pro nec: ad Turrim, for turneing the wheat 5s.'. And

¹ See Appendix IV.

the notes of a military official sent to report on things in College¹ refer to the 'corne' in the Tower.

By the summer of 1643 all serious University business had given way to war and rumours of war. Everything pointed to the conclusion that the royalist metropolis would have to stand a siege, and the fortifications, already begun, became a primary necessity. The arrangement made was that the inhabitants must submit to forced labour; the townsmen to work at the defences on the last four days of the week, and the University men on Mondays and Tuesdays. For this purpose the Colleges were divided into two shifts, and the Brasenose contingent had to put in an appearance on Tuesdays. The scene of their labours was 'that part of Christ Church Mead that is next to Grandpont Street'. The following table shows that the College had no occasion to be ashamed of its team:

Brasennose Colledge	79	} Thomas Broome Esq ^{re} . Charles Jennins Esq ^{re} . Mr. Thomas Rogers.
Lincolne Colledge	55	
Exeter Colledge	76	
Jesus Colledge	32	
Pembroke Colledge	60	
Christ Church		
Corpus Christi Colledge	68	
Merton Colledge	83	
Alban Hall	17	
Oriall Colledge	72	
St Mary Hall	27	
University Colledge	60	

The numbers for Christ Church are not given in the MS.,² and were probably not made up; but they would certainly have been high. Brasenose may, then, be considered to take third place in the shift. According to a royal proclamation issued June 8, the hours of work were from 6 a.m. till 11, and from 1 p.m. till 6. There was not much chance for those who preferred their beds, for a drummer was to go round the Colleges an hour before the *rendezvous*, and his instrument was to be kept going all day at the works, in order to

¹ See later, p. 39.

² Bodl. Add. D. 114.

stimulate flagging energies. Here, at all events, was some legitimate exercise at last.

In spite of the fine of 12*d.* for non-attendance, this form of sport seems to have palled. The townsmen certainly resisted the order, and made endless excuses for their slackness. In the end the work had to be paid for, and the Colleges were regularly charged with a tax for this purpose. Brasenose paid in 1643 the sum of £22 2*s.* 6*d.* There was a further sum exacted from every College in respect of those who were living within and could not be pressed into the service. This was a monthly assessment, and Brasenose appears in a list with five other Colleges.

Jesus	£8: 13: 4
Lincoln	£10: 6: 6
Trinity	£5: 6: 8
Gloster Hall	£4: 10: 0
Balliol	£5: 5: 0
Brasenose	£8: 4: 0

These 'Strangers' were already invading every available space in Oxford. The MS. lists are filled with the names and addresses of a motley throng of 'soldiers, Life-Guardes, groomes, mayds, King's pastrymen and yeomen, leiftenants, lords and ladyes', all jostling each other for lodgings in the narrow streets of the town. Brasenose, as is clear from the payments due, was full of them. Their names appear in the Buttery books, and it is a curious result when the Duchess of Buckingham and an undergraduate, perhaps the most famous Brasenose man of the century, Elias Ashmole,¹ are bracketed as owing a small sum to the Bursar for battels. The pressure on space became greater than ever, when, in January, 1644, the King decided to call a parliament of his supporters at Oxford. This doubtful experiment, while it secured a declaration that the parliament at Westminster was composed of 'traitors', finally decided that the Colleges were to become hotels. Among those who at one time or another took up their abode in Brasenose one or two call for mention. Sir John Spelman, a member of the King's Council in 1642, and high in the royal favour, was an author of some eminence: Sir Henry

¹ See Mon. XII. pp. 18, 19.

St. George was Garter King of arms. Both died in College during the years of war.

All this entailed losses on the College, for the Bursar had to go without the money of those who would not or could not pay their way. The butler, too, was busy with his weekly visitors' list, which he had to supply, in order that the scattered members of the novel population might know where to find their friends. Another result of this congested immigration was that the plague broke out in Oxford again, this time with terrible force. More than one of the strangers in College succumbed. Desperate endeavours were made by the military committees to do something in the way of scavenging, by freeing the dirt-carts from compulsory military impressment. But the disease spread rapidly, and, to add to the horrors of the time, the small-pox appeared in virulent form. It was no case for mild measures, and some idea may be gained of the hazardous life people led from a proclamation which decreed that any one of the 'visited people' who left his house with a plague sore upon him was to die, at once, as a felon.

The most significant political development during these fateful days was the schism which occurred within the Parliamentary party between the Presbyterians and the Independents. It is illustrated in a marked way by the career of a Brasenose man named Richard Norton. This 'notorious rebel' was at first active against the King. Starting in 1643 as a Colonel of Horse in the Eastern counties along with Cromwell, he passed next year into Hampshire, gained some reputation at the siege of Basing House, and, at the second battle of Newbury, distinguished himself by holding Ludlow's regiment together when the leader's horse was shot under him. In 1645 Norton was elected to sit in the Long Parliament, and by that date it was clear that the Independents under Cromwell were not going to submit to the rigid Presbyterian chains already forged for them in the Westminster Assembly. Norton was a Presbyterian, and grew lukewarm in the rebel cause as the Independents became more victorious and less amenable. He had the honour of

receiving several letters from Cromwell, who entrusted him with family secrets about the prospects of his 'little wenches', and with delicate negotiations about his son Richard's marriage¹. But he neglected his parliamentary duties and remained in the country. Cromwell twitted him with his slackness, 'I know thou art an idle fellow.' But Norton was, as we know, 'dwindling' into royalism, like the rest of the Presbyterians. They felt that Charles might consent to give their system a chance, while the Independents, glowing with victories, and led by the greatest of living Englishmen, never would. Norton was accordingly 'purged' out of Westminster by Colonel Pride when the Army wanted the Parliament to punish the King. Later he became suspect, though he sat in 'Barebones' Parliament, and in Oliver's first Council of State under the Protectorate. Thenceforward he must have looked to the King over the water, and sat in the Restoration Parliaments after that king's return. Thus this pregnant quarrel within the Puritan camp bred, in the fullness of time, the secession even of soldiers from the rebel cause, and finally made possible the return of the Stuart. Another Brasenose man, Philip Nye, was almost the prime mover in this party division. But he was on the other side of the rift, a famous Independent minister, who will call for mention on a later page.²

Meanwhile the war drew near its close, and the King had left the city. The siege of Oxford by Fairfax began in the spring of '46, but before this date the College was a barrack, and all who remained in it were, if under the age of sixty, upon compulsory military duty. The soldiers quartered upon the Fellows were maintained by contributions which had for some time been regularly charged as 'impositions' in their battels. Every inch of room was requisitioned for the garrison. Officers were sent round to inspect, and report what further accommodation could be found for men and stores. The report of the visit to Brasenose runs:³

¹ Carlyle, *Cromwell*, Letters LIII, LV, LVI.

² See p. 42.

³ Bodl. Add. D. 114, fol. 85.

Brasen nose Colledge

In y^e Tower a roome wherein is their owne corne
 one chamber for y^e Treasury
 The Hall, y^e upper end boarded
 2 chambers empty intended for y^e palisade magazen.

The store of palisades was for use in the fortifications, where the earthworks were supported and secured by 'baskett', and palisades erected on the top of the mound thus made, in order to form cover against the not very precise weapons of the day. The sheet of paper upon which the Brasenose report is scribbled has the further legend '*quaere* what rooms in St. Marie's'. Can the writer have meant to suggest that the University church should be used as barracks? At all events, he says nothing about disturbing the College chapel, where prayers were daily being said for 'this nursery of Thy Church'.

In June the city was duly delivered to Fairfax, and the war was over in Oxford. The garrison marched out, through the ranks of grim Puritan soldiers, with the honours of war, drums beating, match lighted, and bullets in their mouths. The captors promised that libraries and academic treasures should be respected, and this was done. But the Colleges were in a sad plight. The effect of the war as it is shown in Brasenose is now to be noted.

Admissions of undergraduates to the College :

1641	1642	1643	1644	1645
19	17	5	1	0

Average no. of undergraduates batteling per week :

1641 (first quarter)	Scholars	15	Commoners	42
1644 (first quarter)	„	5	„	7
1644 (fourth quarter)	„	3	„	6

It was of good omen that the single freshman in 1644 was no less a person than Elias Ashmole, but all they knew about him then was that he was very tardy in paying his battels. The general finances, too, were in a desperate state. Fellows were elected, but not to be paid till peace be restored to the kingdom. The College began the war in debt, and was now

deeper in the mire. The following table from the Bursar's accounts tells its own tale.¹

	1642			1643			1644			1645			1646		
Receipts, including previous year's arrears.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
	1181	9	2½	1246	16	8¼	1495	3	4¼	2005	5	5¾	2646	17	11¼
Payments, including present year's arrears.	1295	15	2½	1583	16	5½	2113	1	3¼	3004	13	6	3861	5	11¼
Adverse balance due to Bursars.	114	6	0	336	19	9¼	617	17	11	999	8	0¼	1214	8	0

And to add to this there is the utter demoralization of such young men as were still in the place. The long association with a reckless military population, had taught the 'schollars' to 'blaspheme, to profane the Lord's day', and to prefer 'tipling houses' to divine service.

Already had Laud given his life for the cause he loved and the church he ruled, while Charles was soon to follow the same road. Meanwhile Oxford, so dear to both, had been paying and was yet to pay a heavy price for the mistakes of its rulers and the bitterness of their foes. Clarendon might write in his study in Jersey of the first arrival of the King in Oxford after Edgehill. 'He was received by the University with that joy and acclamation as Apollo should be by the Muses.' But there was a sordid reality beneath the tinsel of this phrase. The men in Brasenose knew the truth when they wrote at College Meeting in the Vice-Principal's register, January 17, 1646, *Circa statutum de diminuendo numerum sociorum in adversis casibus Reditus vel amissi vel non soluti, aliisque similibus Nos Principalis et sex seniores (habita prius matura et seria deliberatione) decrevimus alios juxta formam statuti 6 esse eligendos, non tamen ad societatis beneficium admittendos, Donec turbatum*

¹ For this table I am indebted to Mr. Coxhill.

nunc Angliae statum per Bellum civile misere laceratum ad pristinam conditionem sub sole Pacis et prosperitatis fulgentem restitutum habemus. Thus, still safe within their walls, they could look ruin in the face, and hope for better days. Soon they must meet, with equal courage, the still graver hardships of exile.

III. THE CONTEST BETWEEN THE COLLEGE AND THE PARLIAMENTARY VISITORS

In the summer of 1646 Oxford was a conquered city. It is true that in the conditions of surrender first proposed Fairfax had agreed to respect the rights of 'the clergymen and schollars resident in Oxon', as well as the 'Liturgy of the Church'. This conciliatory language, however, soon disappeared from the negotiations, and in the final terms as dated from Water Eaton there is only a promise to preserve 'the ancient form of government subordinate to the immediate authority and power of Parliament'. There was also an ominous phrase as to 'the Reformation there intended by the Parliament'. An expectant submission was therefore duly recorded by the Vice-Principal when in December he registers the election of lecturers and officers for the ensuing year, *cum submissione authoritati Parliamenti, si eidem visum fuerit eos pro electis non habere, sed eorum officia in alios transferre.* Some of the parochial clergy had already been deprived, and what this threatened reform of the University might involve was known in Brasenose. For in the next year there is a bequest in the will of Hutchins, late Fellow, of £100 to divide among 'the twenty poorest of the sequestered ministers, late Fellows of some College in Oxford'. Had he lived a year or two longer he might have devised a distribution nearer home. At least Oxford had been warned, and when in the summer of 1647, a full year after the surrender, the Visitors appointed by the Parliament arrived, they found the University organized and confederate against them. The fact that this surrendered and 'malignant' society was able

during many months to browbeat, obstruct and defy these Visitors requires an explanation, and bears closely upon Brasenose history in more ways than one. A year after the appointment of the Visitors the seniors in this College flung defiance in their faces. The reason which made this possible is that the triumphant rebels had fallen out among themselves, and a Brasenose man was deeply concerned in causing the rift.

Long before the outbreak of war the Presbyterians had set their course to destroy the Anglican Church, and substitute an exclusive Presbytery on the Scottish model. The thought of being disciplined by the 'old priest writ large' stirred to opposition others besides Milton. During the war Cromwell had become the acknowledged leader of the Independents, who wished for a church-system less narrow and exclusive. The Presbyterians were powerful in the Parliament still sitting at Westminster, but the victorious military party was on the other side, and the imprisoned King was intriguing with both. Thus Parliament might send Visitors to Oxford to undo the work of Laud, but Parliament and Visitors alike must walk warily, and could not force on their schemes while the Independents won their way in the Council and on the field.

This complete division within the party opposed to Church and King had been first defined in the famous Westminster Assembly (1643). Here, opposed to the Presbyterian manifestos and ruling elders, there appeared 'Five dissenting brethren', as the Scots delegates called them, and of these one of the leaders was a minister named Philip Nye of Brasenose College.¹ These five refused to agree to intolerant persecution of the sinner by Presbyterian elders, and wished with Selden, who supported this opposition, to place any requisite coercive discipline in the hands of the State. They put forth their *Apologeticall Narration* in the name of a wider view of religious liberty. It is to Nye and the cultured men who acted with him that we owe the deliverance of the

¹ *Brasenose College Register*, pp. 127-8.

country from the iron fetters which were being forged. Laud could see that the Presbyterians would destroy the Church, and therefore set out to destroy their system. But Nye appealed to a higher tribunal in the common sense of men, and sought to show that only is there safety from tyranny when any power to force the mind is given to no party, but centred in the State itself. This was a great advance, for in those days scarce any one dared to think that the State itself was not to be trusted with such weapons. Nye, who was not at that time an Independent, was of course so-called by the Presbyterians. He had another brush with them in Scotland (1643) when he was sent, with Vane and three others, as Commissioner to negotiate the terms of the famous Solemn League and Covenant.

This schism makes it easy to understand the successful opposition offered to the Presbyterian Visitors by resolute men in the colleges, and also the unconvinced moderation of the Visitors themselves. Hence, also, the Presbyterians in Parliament perceived that they would require all their skill to convert the University, and in November, 1646, they sent down to Oxford some distinguished preachers to prepare the way and sow the seeds of compliance. Once again they were opposed by a Brasenose man, this time a notable sectary named Erbury (adm. 1620), who organized meetings in opposition to their schemes and in favour of an undefined and voluntary religious system. Perhaps a 'seeker', certainly a fanatic, he had been chaplain to a regiment in the Oxford garrison, and had learned in the Army some of the more anarchical religious tenets so common at this time. This 'chaplain errant' was ready to oppose or to hold anything. He broke up the preachers' meetings, and finally succeeded in forcing them to hold a public conference with him and his saints in St. Mary's. Of this fantastic contest there is a printed record.¹ In the end the ministers induced Fairfax to interfere, and the redoubtable Erbury, already cashiered, is called away.

That the strife between these sects, warring with each other

¹ *Conference between six Presbyterian Ministers and some Independent Commanders, 1646.*

yet claiming the ear of the University, should be transferred from Westminster to St. Mary's probably nerved to opposition many moderate churchmen in Oxford. But when the Visitors were actually appointed in May, 1647, it was apparent that the handful of ardent men to whom the work was left would be met with all the weapons of diplomacy and obstruction. Plenty of men even in Oxford might admit a visitation based upon the victory of Parliament over Crown, but this did not carry assent to the Solemn League and Covenant and the Negative Oath. Yet the Visitors were empowered to enforce these, and thus 'reformation' meant a party triumph for the Presbyterians in religion and politics. The Negative Oath required those who took it to abjure all connexion with the King, his council or officers. At once the Visitors became an easy prey to the finesse of the University leaders,¹ and the wits were not sparing men whose sense of humour was shown by their contention that St. Mary's clock had been 'set forward' in sermon time to make their discourses appear longer, though they confessed to an hour and a quarter.

In June (1647) occurred the first brush with Brasenose, the Heads being ordered to send in a full list of their respective societies. Radcliffe sent this, but carefully added *salvis mihi ac reliquis membris dicti collegii omnibus juribus*. This legal spirit, never making a mistake nor giving a card away, is a noticeable proof of the forethought and organization which are prominent features in Brasenose, as in other colleges, at this crisis. It is also of interest to find how careful an historian the College possessed in John Newton, one of the Senior Fellows. His hand, familiar to one fresh from the College muniment room, is constantly found among the pages of Wood's MS. authorities for this episode.² Indeed the little diary³ which Wood used is but a part of Newton's contribution to that author's authorities.

The check given to the Presbyterian party by Cromwell's action in securing the person of the King at Holmby House (June 3) paralysed for the moment the activity of the Visitors.

¹ Gutch-Wood, *Annals*, ii. 512.

² Wood, MS. F 35.

³ Burrows, *Reg. Vis.* cxxiv.

But at the end of September they got to work at last, and appointed 'divers worthy gentlemen' among the residents in the Colleges, who were to act as Delegates to the Visitors, and report to them from inside these strongholds.¹ It is significant that in this list of Delegates no Brasenose name occurs. None of the Fellows was prepared to act as spy on the rest. The measured process by which the recalcitrant college was to be assailed is further disclosed when on October 5 an order reached Brasenose that the Principal was to send to Merton (where the Visitors had head quarters) 'all y^e statutes, registers, iournalls, Books of entrye, accompts, orders, and other writings which concern y^e government and affaires of your colledge'. This was a tactical error, and next day an order was substituted to convene the members of the College whose consent was necessary to the delivery of the College books. These were promptly called together, and on October 11 the answer was returned that the Principal 'having not a statutable assent of y^e said Societie for y^e said deliverie, hee may not deliver them without perjury'. This is endorsed in Newton's hand 'Mr Princ. pap' delivered in to y^e Visitors Oct 11'.

At this point the story has to be carefully told, for Wood, in the *Annals*,² has stated when writing of the Heads that 'he of Brasenose showed himself false'. Such a gratuitous sneer, unsupported by evidence, must serve to excuse a rather full account of the Visitation in this college. Wood was at the time fifteen, and it is abundantly clear that the Principal was a dauntless champion of the rights and liberties of his College and of his office against external and, as he believed, illegal interference.

On Nov. 4 Radcliffe was, with other Heads, again summoned to 'appear before us y^e said Visitors sitting in Merton College tomorrow (being y^e fift of this present november) between y^e hours of two and three in y^e afternoone, to undergo this present visitation, and to answeare what shall be propounded, As you will answeare y^e contrary'. He duly

¹ Burrows, p. 3.

² *Annals* (1796), ii. 522.

appeared in Merton, and the answer he gave in was evidently pre-arranged and based upon a carefully considered reply already drawn up by a Delegacy of Convocation. This was the answer: 'I received a paper requiring mee to appear before you as Visitors. I desire to know whether you have any other commission or authoritie to visit then hath been formerly shoven. If you have I humbly desire Libertie to see and consider of it. If you have not I humbly referre myself to the answer formerly given by the Universitie, and our Societie respectively, and yet depending before the honourable houses of Parliament.' On the same day, Friday, Nov. 5, Newton wrote in his diary concerning this loyal answer a passage which Wood neglects: 'Dr Ratcliffe was stout, as appears by his answer, which was taken from his own mouth before some of his fellowes, which likewise, as himselfe affirmed, was y^e true sense of that which he delivered in to y^e committee. No sooner was he come out from y^e committee but there was delivered to him a summons to appeare in y^e painted chamber Westmr on Thursday following being nov 11.' To gratify his prejudice against a man capable of 'puritanical tuition' Wood has ignored his own select authorities.

This then was the next resort of the baffled Visitors. There was a large Committee of Lords and Commons to whom they had the right to appeal, and to this arbitrament they now determined to bring the contumacious Heads of Houses. In order to act as accusers at Westminster the Visitors themselves 'packed away for London', and Dr. Radcliffe started 'towards London' on Nov. 8. This was no light undertaking for a man of sixty-eight, who had of recent years not been in robust health,¹ and the Principal never recovered from it. He was not fit to go alone, and the Bursar, Houghton, accompanied him, entering in his account book, 'Item, Mr Principall and Mr Houghton, Burs Sen^r. going to London in Nov 1647 uppon Colledge business *ut patet ex particularibus* 15:4:9.' Unfortunately these particulars are not forth-

¹ Cf. p. 30.

coming. The Principal duly appeared in the Painted Chamber with the most distinguished royalists in the University, and, after some delays, it was decided to let the Heads go home and make their defence by counsel. The Principal was back in college in December, for he signs official documents in that month. The outcome of the appeal was that, although moderate members of Parliament, such as Selden, were 'generally favourable', yet the answer of Nov. 5 was declared a 'High Contempt of the authoritie of Parliament'.

On Jan. 20, 1648, the order from London for the expulsion of the Principal was promulgated. 'Resolved and ordered that Do^r Ratcliffe, Principall of Brasen-nose Colledge, being adiudged guilty of high contempt and denyall of authority of Parliament be removed from being Principall of Brasen-nose Colledge aforesaid And accordingly the said Do^r Ratcliffe is required forthwith to yield obedience hereunto and to remove from the said Colledge . . . and he who supplys y^e Vice-Principall or Senior Fellow's place is hereby required to publish this order to the whole society and such others as may be concerned herein.' Newton tells that this order was, on Jan. 31, 'left in y^e kitchen.' It seems almost legitimate to surmise that it did not long survive. In any case it produced no effect upon the Principal, who was probably too ill to yield even if it were his wish. The Visitors were not at the end of their resources, and on Feb. 29 they ordered that Daniel Greenwood, a Fellow of some standing and the old antagonist of Laud, was to succeed to the headship. When again commanded to remove, Radcliffe asked for time on the plea of illness, whereat the authorities referred him to Greenwood, from whom he was to ask what favours he could obtain. Thus the Principal stayed on in his lodgings, and it should be noted in Greenwood's favour that he afterwards declared that he did not 'intermeddle' till after Radcliffe's death. Newton relates at this point that on March 22 'Princ Rogers came to y^e Princ of Brasenose to perswade him to resigne his Principallitie, which if hee would doe, he should enjoy some of y^e lodgings quietly till he was recovered'. But in vain was this net spread. Radcliffe meant now to end his

days as Principal. After a fruitless endeavour to get him to give up the keys of the treasury, the flouted Visitors put a guard of soldiers, at his expense, into his lodgings over the gateway, and left 'Dr. Radcliffe, now lodging in Brasenose', to die in peace.

This power to use soldiers in their dealings with refractory colleges had been granted in March, when Fairfax ordered Kelsey, the military governor, to supply their needs in this respect. But the courage of the Visitors was still further reinforced when, in April, 1648, the Chancellor, Lord Pembroke, arrived and personally conducted their active measures. On April 13, after a long field day, Pembroke with the Visitors reached Brasenose. They had already visited several Colleges, and now arrived with their guard of musketeers, bullet, and match. With them came the famous Prynne, fresh from Laud's College, where they had just decreed the removal of the President. It was getting late when they came into our Hall, and the Chancellor took his seat at the head of the high table. They then declared Greenwood Principal, and, as some one suggested that the Chancellor had usurped the chair in which only the Head of Brasenose might dare to sit, he had to vacate it in favour of the new Principal.¹ This precedence in college of the Principal over the Chancellor seems to have afforded a grim satisfaction to some members of the College. The Visitors then called for the buttery book, and wrote:

Mr. Daniel Greenwood Principall

We, y^e Chancellour, Visitors and Proctours of this University according to an order of y^e lords in Parliament assembled doe invest Daniel Greenwood (Batchelour of Divinity, elected Principall of Brasenose Colledge by the Committee of Lords and Commons for y^e reformation of Oxford) with all and singular the rights, priveledges, and emoluments which doe of right belong to y^e Principall of ye college aforesd. In witnesse whereof wee subscribe our names this 13th of April 1648.

Pembroke Mont	Cancell
Wm. Prynne	Will Cobb
Robert Harris	Na: Brent
F Cheynell	Jo Crosse Proct

¹ *Halifax Law translated to Oxon*, 1648 (Wood, 514, 43).

Some zealot has, unfortunately, destroyed the buttery book which contained this interesting record, but Newton was before him and has left a copy among Wood's MS., attested in his usual careful way: 'This is a true coppie of what Mr Cheynell wrote in y^e butterie-booke with his own hand.' Of Greenwood himself more will have to be told. He was to prove himself in many ways worthy of this promotion. But an unfortunate squint gave facile occasion to the lampooners of the moment. It was an age when scurrilous jesting was common, yet one of these sorry doggerels is worth quoting, as it contains a proof that the 'nose' was then on the gateway.

*Reverso tristis fertur casus
Et miserandum omen
Collegii, cui Rubens Nasus
Prae foribus dat nomen.
Dederunt illi Principalem
Rectores hi severi
Distortis oculis, et qualem
Natura vult caveri.¹*

The vigorous action which ensued upon the Chancellor's arrival was followed in April by an attack on the Prayer Book. This was to be replaced in Chapel by the Presbyterian 'Directory of Worship', fruit of the Westminster Assembly. A forlorn attempt to get hold of the College books at this moment was easily evaded, for the Junior Bursar (King) told the Visitors that the Senior Bursar (Houghton) had them in his possession, and had left Oxford. On May 5 Brasenose, with other Colleges, was searched for arms, since the Visitors were themselves using military force, and could not tell to what point this prolonged resistance would be taken. These

¹ Wood, 514 (50). The fame of the Brazen Nose was shortly afterwards to spread to the continent, where a somewhat receptive French traveller wrote: 'Je ne veux pas vous décrire tous ces colleges. Il y en a un où je vis un grand nez de bronze à la porte, comme si c'estoit un masque de Polichinelle. On me dit qu'il se nommoit aussi le college du nez, & que c'estoit là dedans que Jean Duns-Scot avoit enseigné. En memoire de quoy on avoit appliqué la figure de son nez à la porte.' Sorbière, *Relation d'un voyage en Angleterre*, 1666.

arms, for which search was to be made, included bows, arrows, daggers, cross-bows, and knives.

On June 26 Dr. Radcliffe passed away in the lodgings where he had lived for four and thirty years. The Visitors were afraid that the funeral of so stout a defender of College liberties would be made the occasion for a display of public feeling which their cause could ill afford. They therefore forbade the 'Bellman' to visit the various Colleges, and, as was the custom, announce the burial. This, however, did not prevent the Fellows from securing a funeral at St. Mary's 'with y^e Co^mon Prayer, *more antiquo*'. Here one of the Fellows preached the sermon, while another gave an oration '*in aula communi*'. The Visitors had thus failed to avert a public rebuff to their authority, but the seasoned opposition in Brasenose now prepared for them a further and more lasting slight. It was determined in College to prevent the nomination of Greenwood, already some months in abeyance, from taking effect without a protest. Again there is the noticeable care and deliberation of trained resistance, so conspicuous throughout this protracted Visitation. It was more than a year since the arrival of the Visitors, and already two Heads of Colleges had been elected in defiance of their mandate, first at Pembroke and then at New College. Now Brasenose was to supply the third.

On the day following Radcliffe's death a College meeting was held under the Vice-Principal, Sixsmith, at which it was resolved to proceed to the election of a Principal on the 10th of July, and the statutable citation, summoning the Fellows home for this purpose, was duly posted on the Chapel door. Such open proceedings caused Sixsmith and others to be cited to Merton, where they were warned to 'surcease and submitt to their Principal Mr. Greenwood, whom the Parliament had chosen'. When the 10th of July came, the Visitors, knowing by experience the tenacity of the Fellows, marched a guard of soldiers into college at 7 o'clock in the morning and arrested the three seniors, Sixsmith, Newton, and King. These three are recorded in the Bursar's book as being in restraint, and thus they remained, in one room to economize the military

force, until 10 at night. The next day they declared, in writing, before a notary, that they had intended to proceed to an election, but had been restrained by force of arms. They then went over to All Souls, consulted the Warden, Dr. Sheldon, received his advice, and 'resolved to proceed to an election in sure manner as they were able'. This is taken from papers in college, giving an exact account of the proceedings, and evidently drawn up as a circumstantial narrative in 1660, when Yates' right to the Headship was to be proved. It is an interesting point that this party in Brasenose was in close touch with the distinguished royalist and favourite chaplain of the King. The election duly took place next day, July 12, when the six intrepid rebels repaired to Highfield's room, which, having no window on the quadrangle, afforded a safe retreat. This was at the west of the old library, probably now the White Room. Here they read the statute, took their oaths, and unanimously elected as their Principal Thomas Yates.

It has been supposed that these daring schemers were the six senior Fellows, in whom the right of election was vested.¹ But this is not correct. The Statute requires the summoning of all the Fellows, and places the right of election in *septem seniores Socii praesentes*. At this moment there were, as is clear from the buttery books, only seven Fellows in Oxford, namely, Sixsmith (Vice-Principal), Newton, King, Byrom Eaton, Highfield, Church, and Jones. Of these King held aloof, and the other six conducted the revolution. Newton, Sixsmith, and King were members of the 'six senior Fellows' on the books. The three others, Hill, Yates, and Houghton, stayed away. One of the insurgents, Jones, was actually the junior Fellow. Thus the election was statutable if six could act as a quorum, and as the statute runs *expectatorum absentia non obstante*, it was apparently in order. Highfield was at once dispatched to carry the news to the Visitor and to the Principal-elect, who were both in London. The Visitor sent his confirmation, and Yates accepted this hazardous promotion in the following cautious letter:—

¹ Burrows, *Reg. Vis.*, p. 140 note.

Mr Vice-Principall & the rest

I have received, by the handes of Mr Highfield, yours of the 13th of this instant July, wherein you signify that by an unanimous consent, I am elected your Principall.

I must professe unto you that I have a most high sense of this favour, that without my motion or knowledge you have so joyntly concurred in judgment and affection towards me, as to esteeme me worthy of so great an honour and trust amongst you.

I will according to your prudent advice and desire act herein, and not own anything hereof further than I conceive it may conduce to your advantage.

And as I assure you that in all ways tyme and relations I shall study faithfully and sincerely to advance the honour & prosperity of the colledge: so when it shall please God (who makes men of one mind in one house) to compose the differences and distractions of the kingdom, I shall then hope by his blessing upon my endeavours in some measure to answer your expectations herein. And in the meantime and ever shall remayne

Your most affectionate

friend to serve you

Tho: Yates.

Chilsey, July 18.

1648.

Twelve years later this hope was fulfilled, and Yates came to his own. But, for the time, the long struggle with the Visitors was nearing an end. Every one in the College was now to choose his course. Already in the preceding May the general order had been issued for all members of Brasenose to appear in Merton. Thither they had gone to answer the all-important question, 'Do you submit to this Visitation?' The order to appear was 'put uppon y^e wall on y^e left hand going up y^e staires to y^e chappell (now Senior Common Room staircase) about seven of y^e clocke in y^e morning of May 10th 1648'. It ran as follows:—

Att a meeting of y^e Visitors this 9th of May 1648.

Wee the Visitors of this University of Oxon require you and every of you, the Fellows and other members of Brasen-nose Colledge to appear before us in y^e Warden's Lodgings in Merton Colledge the xth of this instant May, betweene 9 and 10 of y^e clocke in y^e forenoon to answer to such questions as shall be demanded of you.

When they appeared, eighteen strong, most of them gave

in a cautious reply, representing some form of the distilled evasion which had for some months become a part of University life. The various answers are in print,¹ and one or two will suffice as illustration. The Vice-Principal contented himself by saying 'I doe submitt to Kinge and Parliament in this visitation, as farre as lawfully I may'. The Junior Bursar made a more elusive statement, 'To the knowne laws of the land, the Statutes of the Universitie, and my private Colledge, I doe with all humble reverence submitt, and am ready either to clear my innocency, if accused, or to undergoe the penalty they impose when I am called before the proper and competent judges either of the one or other.' One of the undergraduates took a less indirect way of refusing, 'It appeares by the charter of this Universitie that it cannot be visited by this Parliament. Therefore I, being a member of it, because of my oathes, cannot submitt.' The Visitors spent no end of time in discussing what was to amount to a refusal and to be punished with expulsion. In the end, of sixteen Fellows on the books thirteen were expelled,² two submitted, and one, Houghton, managed to evade both fates by securing the mediation of Kelsey, the deputy Governor of the city. The thirteen Fellows were Sixsmith, Hill, Yates, Newton, King, Byrom, Eaton, Highfield, Roberts, Church, Rawson, Eaude, and Blackborne.³ Of these Hill, about whom a good deal has been said, at first submitted and then thought better of it. One of the 'Yates' electors, Jones, the junior Fellow, submitted; and Leycester, afterwards expelled as 'homicida', did the same. Of the handful of undergraduates there were several expelled, including the Bible Clerk. The notices of expulsion came out week by week, and the matter dragged on into the autumn, when the

¹ Burrows, *Reg. Vis.*, pp. 66, 7, 8.

² Or retired, rather than submit.

³ Of these thirteen Fellows Yates, Newton, Church, Rawson, and Blackborne were 'restored' in 1660, the others having died or accepted livings. When Ralph Byrom and Byrom Eaton had left, the Visitors intruded Ralph Eaton, and Burrows, with nothing but surname to guide him in the Register, confuses the two Eatons. He also classes the Bursar Houghton as a Fellow intruded by the Visitors.

expulsions were proclaimed at College gates by beat of drum, and military measures were taken to ensure departure.

Next year (1649) the death of the King was followed by an order to take the 'Engagement', which required men to swear to be faithful to the Commonwealth of England, 'as the same is now established without a King or house of Lords.' This certainly put a severe strain on many, who had been willing to try and conform to a Presbyterian Visitation, and it was to this new Test that the ultimate expulsion of some of our Fellows was due. It is not necessary to suppose that the men who had, almost with one accord, gone forth from Brasenose to exile and penury were narrow partisans of Laud and Charles. If such they were, they had been willing to suffer for conscience' sake, and their memory needs no better warrant. But there were thousands of men in England who had endured and fought for Church and King without approving the tyrannies of Laud or the political stratagems of his master.

The Visitation had been at first a party triumph for the Presbyterians whose watchwords were enforced in the University, but it was now for the other side to prescribe a test. For, with the death of the King, and the victories of Cromwell over the Kirk in Scotland, the cause of the Presbyterians was definitely lost. And of this change Oxford reaped the benefit. After 1651 the Visitors were less rigid in policy, and a wider view began to hold sway. The best hope for Oxford was that moderate men should now be allowed a chance to free the place from the din of conflict. Perhaps neither the Presbyterians nor those whom they had displaced could really point the new way. Prynne and his fellows had undone the work of Laud, but it was now to Cromwell's moderation and good sense that Oxford must look. If he could make the more narrow-minded of his colleagues let her alone she might yet flourish under his rule. For he was now our honoured Lord and Chancellor, and the wheel had gone full circle.

IV. BRASENOSE UNDER CROMWELL

With the triumph of Cromwell and the Independents the nation, though freed from the rigours of Presbytery, was subjected to the rule of the Saints and the Sword. This was to prove more intolerable than that of the Stuarts, but to Oxford, already sated with strife and change, there came a period of recovery. The new Chancellor meant the 'purged' University to live her own life. Clarendon,¹ inveighing against the 'barbarous depopulation' which had occurred here, seems to urge that the innate vitality of the place enabled a recovery despite the new regimen to which it was subjected. But such a view does scant justice to the men who were working to restore life to the Colleges after the apathy and ruin of civil war.

Such a man was the new Principal, Daniel Greenwood. That Brasenose recovered much ground, and became both prosperous and distinguished during the Commonwealth, is due, in part, to the sense and earnestness which he brought to his task. It was fortunate too that the College, after a flagrant career of opposition, settled down in 1650 to something like its true functions. Yates, with a legitimist title in his pocket, gave no trouble. He remained a docile pretender, and actually held his Fellowship for some years, together with his living of Middleton Cheney, till finally deprived of both. Houghton, the cautious and adroit representative of the old order, might chafe at the Principal's 'Presbyterian gang, and their gossopping conventicles'. But he found plenty of work in the new buildings, and could not withhold a 'fayre respect to Doctor Greenwood'. Though the College was still empty and desperately in need of funds, the astute government of these two men soon ensured the payment of debts and the steady increase of numbers.

To these numbers Greenwood, when deposed at the Restoration in 1660, adverted with dignified pride.² Even

¹ *History of the Rebellion*, X, 124.

² 'And whereas there were at my return to y^e coll: scarce 20 persons both of Fell: and Schol: resident, there are now (for the most part) above 120.'

the implacable Wood can scarce forbear to render some praise to Greenwood, whom he describes as 'a severe and good governor, as well as in his Vice-Chancellorship as Principality'. He was made V.C. in 1650, and reappointed next year in the following letter from the Chancellor to Convocation:¹

Reverend Sirs,

Finding it incumbent on mee to nominate a Vice-Chancellor for the University, it had somewhile since (in due season) been performed, but that many important affairs of the Commonwealth did interpose in my thoughts. I doe now recommend unto you Dr. Daniel Greenwood, Principall of Brazen-nose College (who at present exerciseth that office), of whose ability and zeale for Reformation I have received abundant testimony, to be Vice-Chancellor for the yeare ensuinge, nothing doubting but that hee and you all will soe endeavour the improvement of those publique ends to which you are design'd, that all of us who are concerned in the welfare of the University may in some measure answer the mind and will of him who hath so graciously continued (with innumerable other mercyes) such advantages of piety and literature, and withall satisfye the expectation of the Commonwealth.

Sirs, I am your assured Friend and Chancellour,

O. Cromwell.

Whitehall, Oct. 2.

Greenwood was succeeded in 1652 by Owen, Dean of Christ Church, and on the occasion of the new appointment Cromwell again referred to the 'integrity, care, and vigilancy of Dr. Greenwood'. As Vice-Chancellor the Principal had to restore the normal University business, much of which had lapsed during the period of war, and also to keep and maintain order amid the still dangerous relics of undisciplined times. He revived the Chancellor's court, and the old ceremony of the 'Act' whereat degrees were given amid the licensed impertinences of an undergraduate, who was allowed to make a speech on current topics. Herein Greenwood established a record. For, in view of the ribald remarks to be expected from the *terrae filius*, and the possibility of an unruly 'cavalier' element, he presided over the 'Act' with a guard of troopers, as became a Cromwellian Vice-Chancellor. An

¹ Burrows, *Reg. Vis.* 388-9.

armed Puritan band, they formed a striking addition to the V.C.'s procession, and received £2 13s. 4d. as their 'gratuitie'. There must have been a goodly military display on more than one occasion; for, though their numbers are not given, the College paid £11 for 'swords and pistols' for the use of these gallant and novel 'pokers'. Perhaps the best evidence of Greenwood's success, apart from the great Oliver's compliments, is the fact that no serious disorders are recorded. Yet the menace was real, and he put forth a printed warning:¹

'that distemper here growne to a very great height, manifesting itself in foule riots and malicious actions against persons of sober deportment, and of godly conversation, at and for their private meetings for the worship of God, such as are assaults, Robbings, beatings, cruell whippings, and desperate threatnings—so that they dare not adventure forth of their houses after daylight is down.'

Hence all scholars were enjoined to 'forbeare the wearing and carrying about them of any manner of Armes or weapons'.

In College the undergraduates were becoming more numerous despite the Presbyterian methods. There were probably plenty of parents who had feared to find in Oxford a seminary or an arsenal, but were content to send their sons to Brasenose, even if there were now orders for prayers every evening in Tutors' rooms, and a meeting in Hall on Sundays to discuss the sermon. It is often said that these Puritan solemnities were overdone, and poisoned the springs of English gaiety. If this be so Brasenose at least had her own antidote, for one of the Fellows, Jack Glendall, was the best known amateur actor in Oxford, and a happy *terrae filius*, some of whose jests are recorded by Wood. The increase in numbers is proved by the names on the Buttery books, and bears out Greenwood's boast:

Average number of residents batelling per week.

1648 (fourth quarter)	1649 (fourth quarter)	1659 (third quarter)
29	59	91

Meanwhile the College was being recruited from outside.

¹ Wood. 276 A. No. 319.

Greenwood managed, with the taint of nepotism which attaches to some of the best men of those days, to secure fellowships in Brasenose for two of his nephews, Daniel and Nathaniel. Of more interest to modern members of the College is the name of a youth who in 1649 came up from Lancashire, William Holme or Hulme, probably in later years the unwitting founder of our greatest benefaction. But far the best known man intruded by the Visitors was the versatile Sir William Petty, sailor and clothier, mathematician and physician, economist and surveyor, M.P., naval architect, and anatomist. During the time he spent here he was intimately connected with that brilliant body of scientific men who met in his rooms in Brasenose, and in the lodgings of Warden Wilkins at Wadham. These meetings bore fruit in the foundation of the Royal Society, of which Petty was an early and distinguished member. He appears to have lectured in college on mathematics, and for the University on anatomy, in which latter work he used a 'pickled body'. A Vice-Principal who could restore to life a 'mayd', already duly hanged in Oxford Castle, must have made some impression upon the young men under his charge, especially upon those for whose instruction he had intended to 'anatomise' the body. The royalist wits did not miss the chance of inquiring whether Dr. Petty had been careful to see that the lady had taken the 'engagement' before her 'restoration'.

But such a man could not long be spared to teach in College. Cromwell had 'settled' Ireland, and Petty was needed first to tend the sick in the Army there, and then to show how the lands should be surveyed for distribution among the English immigrants. After protracted negotiations with a somewhat pedantic governing body he secured leave of absence. It is significant that this period is marked by an innovation whereby Oxford men were allowed to hold their Fellowships while doing important work outside the University. Another Brasenose man, Samuel Bruen, was given leave to travel. The College had some dispute with the Protector, who wished to use a man like Petty for the service of the State. In October, 1653, the Council of State wrote

‘to the Master of Brasenose College’, that ‘Dr. Petty’s longer stay in Ireland is needed for the public service, and to desire him that nothing may be done in Petty’s absence to his prejudice, either in disposing of his fellowship or any benefit accruing thereby’. But the College, after some years, felt that it was not right to allow the Chancellor to get his work done in that distressful country at the expense of Brasenose. In July, 1658, it is recorded in the College books that ‘at a meeting of the Principal and Senior Fellows it was agreed that Mr. Principal and others should goe to his Highnesse the Lord Protector to return the answer of the College to his Highnesse order concerning Dr. Pettie’s allowance’. There is no record of this visit, and indeed the Protector was dying, but Petty’s time as a Fellow of Brasenose was not likely to last through the changes which led up to the Restoration, and he had to retire. Charles the Second was, however, more generous than Oxford to subscribers of tests. Having himself taken the Covenant in his day, he easily passed over such trifles in a man of Petty’s powers and attractions. Apart from his interest in the Royal Society, the King seems to have taken special notice of a double-keeled boat which Petty invented, though when he offered to back it against the royal vessels Charles, with unwonted caution, ‘would not lay’.¹

If the work of such men as Petty was to bear fruit in the Royal Society, there was also the name of Ashmole, which was soon to connect Brasenose with the great antiquarian movement of the day.² Wood himself deigned to consort with some of the intruded Fellows, when music or research was their hobby. Of these was Nathaniel Greenwood, to whom Wood more than once records his gift of ‘pye’ and apples at supper, and with whom he worked at some antiquarian problems.³ But even more stable than these famous associations were the new buildings which the College owes to this period, comprising the present chapel, library, and cloisters. These are due in the first place to the

¹ Pepys’ *Diary*, ii. 89.

² See Mon. XII, pp. 18, 19.

³ O. H. S. xix. 266-7.

munificence of the late Principal Radcliffe, and in the second to the energy and resource of the governing body, especially of Houghton. This sole representative of the old ideas was at first rather out of his element in the new surroundings. Greenwood ('Moses' as Houghton and others called him among themselves) was, of course, an old friend; but the young men intruded by the Visitors were not very appreciative of Houghton's experience, nor of his presence despite all tests. At first he records that things seemed to all rather uncertain, and even the Principal is reported to have said, 'God knows how soon we may be dispersed.' This did not mean an anticipation of the royalist triumph which ultimately ousted them from College, but rather referred to the strength of the Independents, soon to be sealed by Cromwell's victories at Dunbar and Worcester. 'If they sitt fast in the saddle and this Engagement shake them not out of it,' wrote Houghton to Yates in 1650.

Radcliffe had left money to build a Chapel and a Library, together with a building 'on the east side opposite the kitchen, with pillars, which will make a walk under it, y^e greate want of Brasenose Colledge'. It is a great tribute to the vigour of her recovery and the courage of her sons that, though still in debt and uncertain as to part of the benefaction, Houghton and his colleagues began to buy materials in 1651. With the exception of the gables in the old quadrangle, added between 1607 and 1637, this was the first serious building enterprise. It was from the first entrusted to Houghton, and it is due to him to record that he has left to the College a very remarkable description of the whole work. For more than ten years the building went on, if the preparation of materials is to be considered as part of it. The earliest records of beginning to get timber into college are in 1651, and at once the carpenters and sawyers are started. Some of the material is derived from the 'late dissolved St. Marie College', which was the property of Brasenose, and upon the site of which Frewin Hall now stands. Houghton's accounts are a monument of care and precision. In nearly a hundred closely written pages he records every little point, the value

of the old materials, the names and wages of each workman, the 'bevers' (drinks) which were given them on great occasions such as the bringing in of the 'last tymber' from the woods. The actual building begins March 22, 1656, and the Library was commenced in November, next year; 'Here begins y^e preparation work for y^e new Lybrarie.' The accounts and the work cease from January, 1660, till August, 1661, owing to the disturbed state of things at the Restoration. There was no architect in the modern sense, but it is a coincidence that in this, the only important new building till 1882, the responsible person was named Jackson. He describes himself as 'chief workman and surveyor', and from him is derived the best information as to the cost of the whole. Houghton spent £2,390 13s. 4 $\frac{1}{4}$ d. up to December, 1658, but after that date his accounts become rather difficult to follow owing to the system he had of merging with them a current account between himself and the governing body for advances of cash. Jackson is, however, quite clear, and states that £3,000 has already been spent in April, 1661, and that £660 will be required to complete the whole. If we conclude that the college spent, first and last, the equivalent of £12,000 in modern money it will not be far wrong. Among the more interesting items may be noted the beautiful wainscoting, lately cleaned and restored, which cost (in 1666) £100, and the marble at the east end, recently renewed by a generous hand, which came to £52 10s. These items are, however, not part of the building cost, but in excess of it.

It would not be right to leave this subject without noticing the curt reference which Wood¹ makes to this benefaction of the late Principal. Radcliffe, he says, 'playing the knave with the college', they were left to finish some of the work themselves. This refers especially to some almshouses at Steeple Aston, but it will be best to attempt here some explanation of the grounds for Wood's statement. Soon after Radcliffe's death an action was brought against the College by some of his representatives. The plaintiffs claimed

¹ O. H. S. xix. 145.

a large sum due, they contended, to the estate of the deceased and devised in his will. The facts are chiefly connected with the Visitation of 1643, to which reference has already been made. There are still in college the voluminous papers and interrogatories belonging to the action. It appears that, in the financial inquiry of that date, it was discovered by the Bishop's deputies that Radcliffe held two important college leases. These were at once sold by order of the Visitors, and the proceeds devoted to paying some of the more pressing debts, which were the ground of the Visitation. The plaintiffs, relying upon a very explicit statement in Radcliffe's will, now urged that the College undertook, at the time, to repay this sum to the Principal. Indeed, in his will, he treated it as an asset, and stated that he had a paper acknowledging the obligation to repay. Here the parties were at issue. The witnesses for the College, men like Yates, Houghton, and Greenwood, admitted that the leases had been held irregularly and contrary to the Statutes, which of course forbade any member of the society to hold college property. But they stoutly denied that any obligation was laid on or admitted by the college, to repay any part of the sum raised by their sale. Witnesses for the plaintiffs, however, definitely referred to such an obligation, and some went so far as to suggest that the paper, promising payment, had been in Radcliffe's possession at his death, and had been purloined by Sixsmith. This had been indignantly denied by the latter, but in the end the court held that the indebtedness of the College was proved, and insisted that the governing body should come to an agreement with the plaintiffs upon that basis. Hence it was that Houghton was able to say that the College in the end spent more on the new buildings than they had received from Radcliffe.

This, then, is the ground of Wood's statement. It is difficult to see any escape from the maze constructed by this complete divergence in the evidence given by honourable men. But in defence of the Principal two points seem worth noting. First, the illicit holding of the leases was not denied by either of the parties. These were the usual beneficial leases, and

were commonly granted to persons who made a handsome profit by subletting.¹ It is difficult to believe that Radcliffe held those in order to make money for himself. For then the entire governing body must have been party to an irregularity which would put money in his pocket. He was a man who deplored the losses of the College during the war, and whose little economies in College business are clear. It is far more likely that the College, pressed exceedingly for money throughout the period, allowed him to hold the leases in order to secure for the College the profits which normally accrued on subletting. Again, the clear statement in his will that this was his own money and must be repaid to him, may very well be due to the fact that the will was made when he was ill and not clear in his mind. Of this two confirmations appear in the document itself. One of the Fellows in court suggested this explanation, and pointed out that the will expressly states that he drew it up without professional assistance. And at the end Radcliffe gives an inventory of the things he found in his lodgings when he came back from London, 'newly confirmed Principal.' Such a statement from one who had just been ordered by the London Committee to be dispossessed,² gives colour to the suggestion that his mind was unhinged.

Without maintaining that this is a complete explanation, it may yet be contended that Radcliffe was no knave. On the back of one of the papers in College connected with this lawsuit some one has written 'Radcliffe was a knave'. A later hand has added this tempered reproof: 'there does not seem to be sufficient matter in these papers and in the proceedings of the Commission of 1643 to justify so harsh a censure. Dr. R.'s great benefaction to the College should secure his memory from all dishonourable imputations which are not founded upon the most positive and direct evidence.' At this date one who has read these papers can do no more than concur in refusing to brand the name of a Principal,

¹ Thorold Rogers, *Hist. of Agric. and Prices*, v, 805.

² Cf. ante, p. 47.

who left the College the bulk of his fortune, and against whom no other breath of suspicion is discoverable during a headship of thirty-four years.

The period of Cromwellian rule, though it had seen Brasenose recover health and prosperity, could not last. With the death of the Protector, Richard Cromwell succeeded him as Chancellor, but all political conditions were pointing to a complete reaction. When this was accomplished the King came back to his own and Oxford experienced yet another turn of fortune. A Commission under the Great Seal was appointed to name a body of men who should supervise the restoration of the ejected Fellows, and upon this body John Houghton was chosen to sit. He had spent the ten years in uninterrupted supervision of the new buildings. Since November, 1657, he had been given 'sole charge of finishing new Chappell and building a new Library upon a cloyster with buttresses acc to y^e modell'. With this work now almost completed he had the pleasure of arranging for the restoration of his old friends, Yates, Newton, and others. A delegate for the defence of Oxford in 1642, a successful fugitive from the Visitors' tests, and now a powerful influence for reviving the old order, he still does not appear to have actually 'turned cat in pan', to use the delicate phrase of one to whom he may seem near akin.

This fresh change secures little note in the documents preserved in College. Doctor and Mistress Greenwood retired to Studley, and Doctor Yates with his lady came to the Principal's lodgings. The Fellows' names, when they are restored, appear again in the buttery books, and the Bursar 'paid Mr. Hawkins (y^e paynter) for repayring y^e Kgs arms in y^e Coll Hall ¹¹1 : 10'. The College order for the administration of the Holy Communion seven times a year is re-enacted, and a fresh chapter in the history of Brasenose comes into sight.

In closing this phase of their story one word remains to be told of the men who were now living here. Much of their lives is shrouded from us, yet it seems clear that, although they were divided in opinion and severed by events, no

bitterness marred their fellowship. Yates, when restored to his headship, was willing and nearly contrived to give his rival Greenwood an asylum within the College itself. Houghton had stayed on and eaten the bread of his College when many, with whom he professed to agree, had gone forth to seek new means of livelihood: yet they thought no scorn of him, and Jack Newton left him a legacy 'for his love to me in tyme of need'. Greenwood himself, when called to give evidence in the suit against the College, described Sixsmith, who had practised to deprive him of the Principalship, as far too honourable a man to purloin papers from Radcliffe's study. In such times, saturated and penetrated by religious and civil discord, the bands which linked these men in college comradeship were yet too strong to be sundered. They surely need no better witness, and we no brighter pattern.

APPENDIX A

Confirmation by the Visitor of the election of Principal Radcliffe, 1614

Richardus providentia divina Lincolnensis Episcopus, *Dilectis* nobis in Christo Viceprincipali et Scholaribus Aule et Collegii regalis aenei nasi alias de Brasennose in universitate Oxoniensi, Salutem, gratiam, et benedictionem. Accepimus litteras vestras ad nos datas e Collegio vestro, decimo sexto die mensis Decembris iam currentis, quibus, nobis cognitum vultis quod (vacante iam Praefectura seu officio Principalis dicti Collegii per mortem naturalem venerabilis viri Thome Singleton) vos secundum Statutorum dicti vestri Collegii prescriptum, ad electionem novi Principalis ritè providentes, venerabilem virum Samuelem Radecliff sacre theologie bacchalaureum Collegii vestri Socium, in Principalem dicti vestri Collegii elegistis, rogantes ut nos pro ea, quae nobis per Statuta dicti vestri Collegii competit, auctoritate, dictam electionem vestram approbare confirmare et ratificare, ipsumque Samuelem Radecliff sic electum in Principalem vestri Collegii praeficere dignaremur. *Nos* idcirco iuste huic vestre petitioni annuere et obsecundare cupientes, dictam electionem vestram per vos factam et nobis intimatam, quantum in nobis est, approbamus ratificamus et confirmamus, dictumque Samuelem Radecliff per vos sic electum in Principalem dictum Aule et Collegii praedicti praeficiendum esse duximus, prout per presentes praeficimus.

Tum a vobis requirentes ut eidem Principali vestro sic a vobis electo et a nobis ritè praefecto, omnimode debitam reverentiam et obsequium iuxta Statutorum dicti Collegii exigentiam prestetis, tum deum optimum maximum omnis bone donationis authorem nomine et ipsius Principalis et omnium vestrum obnixè rogantes uteidem Principali vestro donare dignetur ut in omnibus dicti Collegii negotiis peragendis afflatu Spiritus Sancti ductus tam pie prudenter provide et pacifice dicto fungatur officio, ut spei vestre de eo concepte et votis vestris piis virisque pietatis et probitatis vere studiosis dignis in omnibus respondeat. *Datum* sub Sigillo nostro Episcopali Vicesimo die mensis decembris Anno domini Millesimo sexcentesimo decimo quarto nostrique Translationis Anno primo.

APPENDIX B

*Wages Paid to the Officers and Lecturers of the College
for the quarter ending att Christmas, 1634⁰*

Imprimis to M ^r Leigh se. Viceprincipall his wages	xv ^s
Item to him for his Chaplainshipp	xvj ^s viij ^d
Ita est Edm. Leigh.	
Item to M ^r Gabriel Richardson for Palin's exhibition	xx ^s
Ita est Gabriel Richardson.	
Item paid more to M ^r Gab. Richardson for Kertleton lecture	x ^s
Ita est Gabriel Richardson.	
Item paid to M ^r Raph Richardson for Palin's exhibition	xx ^s
Item paid to him more for Kertleton lecture	x ^s
Item more paid to him for his Chaplainshipp	xvj ^s viij ^d
Ita est Raphe Richardson.	
Item paid to M ^r Hutchins for Palin's exhibition	xx ^s
Item paid more to him for his Bursarshipp	iijs iiij ^d
Ita est Williā Hutchins.	
Item paid to M ^r Richard Hill for his Bursarshipp	iijs iiij ^d
Edmund Leigh.	
Item paid to M ^r John Trafford for Palin's exhibition	xx ^s
Ita est John Trafford.	
Item paid to M ^r Tho. Cooke for y ^e Hebrew lecture	xxx ^s
Ita est Tho. Cooke.	
Item paid unto M ^r Thomas Sixsmith M ^r of the Hall	xx ^s
Ita est Thomas Sixsmith.	
Item paid unto M ^r John Newton Custos Jocalium	iijs iiij ^d
Ita est Jóhannes Newton.	
Item paid unto M ^r Daniel Greenwood for y ^e Greeke lecture	xx ^s
Ita est Dan. Greenwood.	
Item paid unto M ^r Robert Heywood for y ^e Humanity lecture	xx ^s
Item paid more to him for his Chaplainshipp	xvj ^s viij ^d
Ita est Robt. Heywood.	
Item paid unto M ^r John Houghton for y ^e Philosophie lecture	xx ^s
Johes Houghton.	

Item paid unto D. Byrom ju. for y ^e Rudolph lecture	xvjs viij ^d
Ita est Radulphus Byrom.	
Item paid unto D. Porter Bibleclarke	x ^s
Ita est Roger Porter.	
Item paid unto M ^r Bostock for M ^{ris} Morley's lecture	xjs viij ^d
Ita est Nath. Bostocke.	

APPENDIX C

Commemorations, 1635

	£	s.	d.
Jan. 3. Att Founder Smith's Co ^m emoration to y ^e Princ. & fell. &c.		10	5
Paid to y ^e Manciple for gaudies then	4	7	3½
Paid then for wyne y ^e same day	1	1	10
Jan. 11. Att Humfray Ogle's Co ^m emoration To Mr. Prin- cipall 20 ^d & to 15 fell. 15 ^s & to 2 scholl. 2 ^s	18	8	
for wyne y ^e said day att Dinner	1	4	
Jan. 27. Att M ^{ris} Morley's Comemoration To y ^e Warden of New College viii ^d		8	
Item for a Dinner for y ^e Warden y ^e same day	2	13	0
And for wyne att y ^e same dinner	11	8	
Feb. 6. Att Math. Smith's Co ^m emoration To Mr. Prin- cipall 2 ^s and unto 15 fell. 15 ^s	17	0	
Feb. 13. At D ^r Nowell's Co ^m emoration To Mr. Principall 2 ^s 6 ^d To Mr. Vice Princ. 20 ^d To 15 fell. 15 ^s To y ^e scholl. & substitutes 14 singulis 8 ^d 9 ^s 4 ^d	1	8	6
April 19. At y ^e Lord Mordaunt's Co ^m emoration To Mr. Princ. ijs To 13 ffellowes & 00 schollars singulis xvij ^d	1	2	6
Maii 4. Att Edward Derbyes Co ^m emoration To Mr. Princ. ijs To 14 ffellowes 12 a peece	16	0	
June 6. Att S ^r John Ports Co ^m emoration To Mr. Vice- principall xx ^d And unto 18 ffellowes xviii ^s Biblclarke iiij ^d	1	0	0

	£	s.	d.
Septemb. 5. At Mr ^{is} Franklands Co ^m emoration: To Mr. Principall iijs iiij ^d To Mr. Viceprincipall ijs vj ^d To 11 fell. & 3 scholl. 28 ^s	1	13	10
Item for gaudies y ^e same day p Billa	3	18	1
Octob. 4. Att Founder Suttons Co ^m emoration To y ^e Princ. viceprinc. & reliquis sociis & scholari- bus sing. v ^d in toto	10	5	
Item paid more for gaudies	4	3	7
Octob. 30. Att Mr. John Coxe his Co ^m emoration To Mr. Princ. iij ^s iiij ^d To y ^e Subwarden of Newe Coll. iij ^s iiij ^d To Mr. Viceprinc. xx ^d To 12 ffellowes singulis viij ^d	16	4	
To Jo. Shelton for wyne cakes & ale	1	9	
Novemb. 5. Att Mr. Will. Porter's Co ^m emoration To Mr. Princ. xx ^d To Mr. Subwarden of Newe College xx ^d And to 12 ffellowes 12 ^d	15	4	
Novemb. 30. Paid att Sir Rich. Harpur's Commemoration to 18 fellowes singulis 2 ^s in toto	1	16	0
M ^d 20 ^s of y ^e former sume is putt downe in forensicis			
Item bestowed in gaudies y ^e same day	13	8	
Item for a fire allowed in y ^e Hall	2	6	
Sum tot	£30	os.	4½ ^d .

APPENDIX D

Some items from the Magazine Accounts

To Bolt for 3 qter of wheat at 5/ the Bush.	£6:0:0
To Mr Eldridge, for one flitch of Bacon, weighing 51 ^{li} at 5d the pound	1:1:0
For 46 pd of salt butter, at 6d the pound	1:3:0
For 300 of cheese, for waighing and portage of it	4:5:6
For 40 cheeses	2:7:0
For 4 bushel of Pease at 3/ the Bushell & portage	12:6
For 6 Bushel of oatmeale, abateing $\frac{1}{16}$ part of a bushel at $\frac{5}{6}$ the bushel	1:10:8
For 2 small Pottes of butter at $4\frac{1}{4}$ the pound	13:4
For 143 ^{li} of salt butter, for the pottes and excise	2:18:11
For 100 ^{li} of rice at 6d the pound and for a bag to put it in	2:11:0

XII

The College under the later Stuarts

By Richard Lodge M.A.

Professor of History in the University of Edinburgh
Late Fellow of the College

THE COLLEGE UNDER THE LATER STUARTS

1660-1714

The Brazen Nose without a Face
That doth the Learned College grace.
(*Merry Drollery*, Lond., 1670, p. 144.)

The Brazen Nose that o'er the Gate
Maintains full well many a Latin Pate.
(*Ibid.*, p. 145.)

AT no period was Oxford more closely associated with the main current of national history than in the seventeenth century; and the reigns of the later Stuarts, though marked by less acute disturbances and excitements than those of the great civil war, will always rank among the most stirring epochs in University annals. Nowhere were the results of the Restoration more rapid or more far-reaching. Twice in the reign of Charles II did Parliament meet in Oxford, once in 1665 when the plague was raging in London, and again for the short, exciting, and decisive session of 1681. Nothing did more to alienate the Church and the Tory party from James II than his attempt to introduce Roman Catholics and their teaching into Oxford, and the actual conversion of one of its fairest Colleges into a Popish seminary. The consequent Revolution and the schism of the non-jurors raised those fundamental questions as to the relations of Church and State, and the limits of obedience to secular authority, which have always had a special interest for Oxford men and a special prominence in Oxford history.

It cannot be claimed that in these great national issues, or in the University's connexion with them, Brasenose played a very prominent or decisive part. It did not produce among

its Fellows men who dominated the life of the University, as did Dr. Fell, the famous Dean of Christ Church, or his rival, Dr. Gilbert Ironside, Warden of Wadham. Nor did it train among its undergraduates men who rose to the highest positions in either Church or State. Yet the life of the College was doubtless affected by the larger problems of the age, and in a quiet and not always tangible way it must have contributed to their solution. It still drew most of its members from the families of the country gentry, i. e. from the very class which was raised to political ascendancy by the Restoration. Several Brasenose men sat in the Cavalier Parliament which restored the Anglican Church by the Act of Uniformity, persecuted the Dissenters by the Conventicle Acts and the Five Mile Act, and successfully checked Charles II's popish proclivities by passing Test Acts in 1673 and 1678. Some, but distinctly fewer, sat in those short and turbulent Parliaments which were stirred to intolerant frenzy by exaggerated stories of Roman Catholic plots, and strove to exclude the King's brother from the succession to the throne. More again found seats in the loyal Parliament of 1685, and in the post-Revolution assemblies which witnessed the hardening into some consistency of the party system. And all through the period the College sent out to country parsonages men who, for the most part, used their influence for 'Church and Crown' when the two interests were associated, but for Church rather than for Crown when they were divided.

The Restoration settlement of 1660 was marked at Oxford as elsewhere by conspicuous moderation. The King was brought back quite as much by the Presbyterians as by the cavalier churchmen, and for some months it was all-important to avoid any measures which might alarm or alienate the former. By a sort of spontaneous impulse the use of the Prayer Book was resumed in churches and college chapels.¹ But more caution was needed in dealing with offices and property. The Commission appointed by the Convention contained

¹ See Wood, *Life and Times* (ed. Clark), i. 313.

a number of men, like Bursar Houghton of Brasenose, who had been active and prominent University or College officers during the 'broken time'. When they set to work to consider the intrusions of 1648 and later years they acted in no vengeful or revolutionary spirit. Men who were regarded as Independents or 'sectaries' were ousted from headships and fellowships, and thus sufficient vacancies were created to enable the Commissioners to restore those of the evicted officers who were still living and unmarried. But a number of moderate Presbyterians were left undisturbed until the Act of Uniformity, in 1662, compelled them to choose between adherence to the Established Church and resignation.

Among the most prominent members of the Presbyterian party in the University was Dr. Daniel Greenwood, the Principal of Brasenose. If he had been appointed to fill a lawful vacancy, it is probable that he would have kept his office. But it was against him that he had supplanted Principal Radcliffe during the latter's lifetime, and on August 10, 1660, he was removed by the Commissioners to make room for Dr. Thomas Yate, whom the loyalist Fellows had elected in 1648, in spite of military threats, as Radcliffe's successor. Greenwood, however, had provided himself with a refuge, and the use which he made of it seems to prove that the Act of Uniformity would have presented no more difficulty to him than the oaths of supremacy and allegiance. In addition to making him Principal in April, 1648, the Visitors had further gratified him in July of the same year by giving a Fellowship to his nephew, a second Daniel Greenwood, whom they brought in from Corpus, Cambridge. This nephew resigned his fellowship in 1654 to take the Rectory of Steeple Aston, and there the deposed Principal found a home and a last resting-place. On his death, in 1674, he left £400 to the College,¹ so that he bore no grudge against the Corporation of which he had been so long an important member. Edmund Calamy describes him as 'a profound scholar and divine, and a circumspect governor'.

Three of the Fellows who had voted for Yate in 1648, John

¹ Wood, ii. 280.

Newton, Ralph Rawson, and Thomas Church, with one other, were restored by the Commissioners. To make room for them Samuel Bruen, the Scottish graduate who had been imported from St. Andrews, and two others were removed, while a fourth resigned his Fellowship.¹ There, for the moment, anything like drastic change came to an end. So strong was the spirit of compromise and concession that at the end of 1660 the Vice-Principalship was given to John Burscough, who had been brought in by the Visitors from Jesus, Cambridge, to fill the Fellowship from which John Newton had been evicted. John Houghton remained Senior Bursar to continue his superintendence of the now rising Library and Chapel. Nathaniel Greenwood, a second nephew of the late Principal, who had succeeded to the Fellowship vacated by his half-brother, Daniel, in 1654, retained his place in the governing body, and continued to hold various College offices until he became Rector of Cottingham in 1681. A younger brother of Nathaniel, Moses Greenwood, who had matriculated in the last year of his uncle's Principalship, was appointed the first master of Charlbury School, of which the College became Visitors by the will of Anne Walker. And the dynasty of Greenwood continued into a third generation. Two sons of the Rector of Steeple Aston became, the one an M.D. of the College, and the other a Fellow in succession to his uncle Nathaniel. The family of the one Puritan Principal clung rather tenaciously to the College.²

Even when the Act of Uniformity was passed in 1662, only one Fellow, Thomas Adams, who had been elected in 1652, resigned rather than accept its provisions. But the ascendancy of the Anglican party was now undisputed, and we find that in this year Rawson and Church, two of the restored Fellows, held the important offices of Vice-Principal and Senior Bursar. In the next year John Houghton and John Burscough resigned their Fellowships, though the former moved no further than to Black Hall, opposite the gateway, where the Radcliffe now

¹ See Appendix A.

² The family tree for three generations, showing a Principal and three Fellows of the College, is given in Wood, i. 267.

stands. There he added a new wing to the house, and was allowed to admit to it scholars of the College, and no others, on such rent as might be agreed between them and him.¹ There he died on August 7, 1677, and he was buried in the cloister whose building he had supervised.²

The absence of anything like vengeful or thorough-going change in the governing body in 1660-2 is due, partly no doubt to the general character of the Restoration, but partly also to the fact that Brasenose suffered less than some other Colleges from the rule of the Parliamentary Visitors. There had been no real breach of continuity, except in the Chapel services. Daniel Greenwood was no alien imported from elsewhere to fill the headship. He had been a Fellow of the College since 1629, and had been elected to various College offices³ since 1630. After his appointment as Principal he showed himself a loyal and efficient administrator. In 1652 he revived caution money as security for the payment of College accounts, and it was under his rule that the building of the new Chapel and Library was begun. If he was guilty of nepotism he only followed the fashion of other Principals of his time, and there is no reason to believe that his nephews did anything to discredit their promotion. Although there was some friction between Greenwood and the Senior Fellows in 1656 about certain appointments and removals of which the latter disapproved,⁴ it never assumed serious proportions or gave rise to scandal in the University. Even socially the College was not so given over to Puritanism as to abandon all gaiety. Probably the best-known don in Oxford during the Commonwealth was Jack Glendall of Brasenose, one of the *terrae filii* in 1655, the cleverest of amateur actors and the cheeriest and most amusing of boon companions. Yet Glendall, whose early death in October, 1660, cast a shade

¹ Principal's Fine Book, June 16, 1666.

² Wood, ii. 388.

³ College offices in the seventeenth century were not held, like the Vice-Principalship and the Bursarship in the present day, for considerable consecutive periods, but circulated freely among the Fellows. The chief offices, however, were generally monopolized by the Senior Fellows.

⁴ Vice-Principal's Register, B. 82.

of gloom over Royalist exultations, was one of the nominees of the Puritan Visitors, and was appointed to the very fellowship of which Thomas Yate, the rejected Principal, had been deprived.¹ If the Puritans captured Oxford in 1648, Oxford in its turn captured its conquerors. An attempt to abolish the licensed buffoonery of the *terrae filii* in 1658 ended in ignominious failure, though one of them in that very year was expelled, and the other had to apologize to Congregation on his bended knees, and pledge himself that he would never again offend the chastest ears.²

Thomas Yate, the restored Principal, had therefore an easier task than if the previous years had been more revolutionary. Evicted from the Rectory of Middleton Cheney, of which he owned the advowson and which he had held with his Fellowship down to 1646, he had spent the years of his deprivation as a practising solicitor.³ He now brought his legal knowledge and acumen to the service of the College, of which he is rather magniloquently described (on the tablet outside the Chapel) as 'the third founder'. For the completion of the Library and Chapel, the opening of which is the most prominent event of his Principalship, he can claim no special credit, though he was assiduous in collecting subscriptions to defray the expense of their erection. But he put together the most important of the College records in his 'leiger-book', and he did much to restore order in the College finances. Caution-money, originally instituted in 1593 and revived in 1652, was re-enacted in 1662, and was raised to £8 for a gentleman commoner, £6 13s. 4d. for an ordinary commoner, and £4 for any other undergraduate.⁴ On April 23, 1663, it was decreed that a gentleman commoner must deposit £5 in addition to his caution-money, but this sum was to be refunded by the Principal if he presented the College with plate to the value of more than £5. In the same year we have the first exaction of degree fees by the College. The practice of giving entertainments to examiners and friends at the time of the Lenten exercises for degrees had been forbidden by the University in 1656.⁵

¹ See Wood, ii. 266, 322, 336.

² Ibid., 256, 258.

³ So says Wood, ii. 62. ⁴ Vice-Principal's Register, B. 91. ⁵ Wood, i. 207.

In Brasenose (and other Colleges soon followed the tempting example) the Principal and Senior Fellows set themselves to divert to the College the gain which would otherwise have gone into the pocket of the budding graduate. On December 3, 1663, they enacted that no one was to be presented for the B.A. degree until he had paid, in place of the forbidden 'caena quadragesimalis', 20s. if a commoner, and 13s. 4d. if of lower rank. For the M.A. degree Fellows were to pay £5 and others £4, and for the Doctorate these fees were to be doubled. On the same day it was imperatively laid down that every gentleman commoner, by the coming St. John the Baptist's day, and every future gentleman commoner within a week from his admission, was to give at least five pounds' worth of plate to the College on pain of immediate degradation from his lofty rank.

By these and similar measures the College achieved a fair level of financial prosperity. In 1665 it paid Hearth money on sixty-five hearths, while New College had only fifty-three, and Trinity thirty-nine.¹ For general purposes about 1681 it was rated at £300, which puts it eighth on the list of Colleges, between Merton and St. John's assessed at £400, and Queen's and Trinity at £200.² From another source we are informed that the revenue of Brasenose in 1680 amounted to £600 a year.³ This might be multiplied by six or seven to express something like its modern value. In numbers the College held a fair place, generally about fifth or sixth on the list, throughout the century. And the Principal and Fellows were as careful to preserve the property and fabric of the College as they were to increase its income. In 1666 a solemn oath was imposed upon all members of the College who were not Fellows, and the Vice-Principal was instructed to have a handsome copy put up on a notice-board in a prominent place. Undergraduates had to swear (1) that they would observe the Statutes; (2) that they would respect and obey the Vice-Principal and other superiors; (3) that they would faithfully and honestly report to the cook, butler, and

¹ *Oxford City Documents*, 1268-1665 (O.H.S.), p. 79.

² Wood, ii. 565.

³ MS. Eng. Hist. d. i. p. 108.

other servants all that they received to eat or drink; and (4) that they would do all in their power to prolong the existence of the crockery, plate, furniture, walls, windows, &c., and whatever served for use or ornament. This last oath is enforced with an immense wealth of carefully selected verbs. Nothing is to be moved, or changed, or scratched, or deformed, or cut, or broken, or abused, or mutilated, or in any way defaced (&c., &c.) except in the way of ordinary wear and tear. Finally the oath prescribes that men will never help, encourage, or advise others to commit such offences, that they will do all in their power to stop them, and finally, if remonstrance fails, that they will convey to the Principal or the Vice-Principal the names and deeds of any miscreants within at least three days from the commission or discovery of their offence.¹

The first notable academic event in Yate's Principalship was a dispute as to the tenure of the proctorship. The Caroline cycle, thrown into confusion in 1648, had been restored in 1651. But a mistake had been made by counting the day of election (the Wednesday after the first Sunday in Lent) as belonging to the expiring instead of to the approaching year. Following the rotation as it stood, Merton and Magdalen elected Proctors for 1662. But the Vice-Chancellor and the Heads of Houses desired the exact observance of the old cycle, which gave the election to Brasenose and Christ Church. The dispute was referred to Lord Clarendon as Chancellor. With the help of Bishop Sheldon, his constant adviser in all ecclesiastical or semi-ecclesiastical matters, Clarendon decided in favour of the two latter Colleges.² Brasenose accordingly chose Thomas Frankland, who became Senior Proctor for 1662. Frankland's career is so unique in many ways that it deserves to be chronicled. He matriculated in 1649, and was appointed to a Fellowship, apparently by the favour of Principal Greenwood, in 1654. Two years later the Vice-Principal and the six senior Fellows presented an apparently unanimous protest

¹ This oath, with its preamble, is printed in Appendix B, as illustrating at once the Latinity of the governing body and its paternal care for the property and buildings committed to its charge.

² Clarendon's two interesting letters on the dispute are printed in Appendix C.

that as Mr. Frankland had been expelled not long beforehand, his election was null and void, and therefore he could not be considered a Fellow.¹ This protest must have been overruled. Frankland not only retained his Fellowship, but became Proctor in 1662, Senior Bursar in 1664, and Vice-Principal in 1667. He is described as 'haughty, turbulent and disagreeable', and cannot have been a very popular Vice-Principal. In the following year he resigned his Fellowship, abandoned his orders (he had taken the B.D. degree in 1663), and went to London to study medicine. By producing a forged diploma to prove that he was an M.D. of Oxford, he obtained admission as a Fellow of the Royal College of Physicians in 1675, and an *ad eundem* degree at Cambridge in 1676. But his uncivil manners continued to provoke ill-will, and his enemies ruined him by discovering the falsity of his Oxford diploma. Expelled from the College of Physicians, he took to literature. Oxford rumour² assigned to him the authorship of a pretentious but fairly learned pamphlet on 'the Honours of the Lords Spiritual asserted and their Priviledges to vote in capital cases in Parliament maintained by Reason and Precedents'. This was published in 1679 in connexion with the impeachment of Danby. He was more certainly the author of *The Annals of James I and Charles I*, which appeared in 1681. But such books were insufficient to gain him a livelihood, and he had to fall back upon less creditable methods. In 1689 he was in receipt of £800 from the secret service fund, and he is also said to have forged a will. In 1690 the ex-Senior Proctor died in the Fleet Prison. The *Dictionary of National Biography* compendiously sums him up as 'impostor and annalist'.

In 1665 the Parliament, driven from Westminster by the plague, met at Oxford. To their great delight all undergraduates were sent home a fortnight before the session, and were not allowed to return for a fortnight after its close. Principal Yate was much perplexed to satisfy the demands made upon him to provide accommodation for members and their attendants. He writes to Sir Ralph Verney, who had

¹ Vice-Principal's Register, B. 82.

² Wood, *Athenae*.

applied on behalf of Sir Nathaniel Hobart, that, the Court having taken up Christ Church, Merton, Corpus, Pembroke, and Oriel, other Colleges were put to great straits. He had himself invited the Attorney-General (obviously his attachment was to the law) to his own lodgings, and promised rooms in College for his two sons. The Lord Chancellor's Secretary had written to ask rooms for four knights, 'but I hope it is but a thing he assumes, and that it is not by my lord's command.' He has designed where to lodge Sir Nathaniel, but is apparently perplexed by the difficulty, not of housing, but of feeding Lady Hobart. 'The great trouble Sir Nathaniel will be put unto will be for his diet in a College, if his Lady come along with him; otherwise those that are members of the House have names on the books, and dine and sup in our Hall.' Sir Nathaniel appears to have resided in College from the beginning of October to the second week in December, but there is no record of any batels in the name of Lady Hobart. Probably she stayed away rather than run the risk of starvation.

The consecration of the new Chapel took place on November 17, 1666,¹ the first stone having been laid on June 26, 1656. The Library had already been opened in 1663. Underneath the Library was the Great Cloister (now filled in with College rooms), and on the north side of the Chapel was the Little Cloister, of which part still forms a sort of portico to the Chapel. These cloisters became the burial-place of the College. Hitherto members who died within its walls had been buried in St. Mary's as the Parish Church. It is worth recording that between 1669 and 1689 no fewer than twenty-five burials took place in the cloister. There can be no doubt that Oxford in the seventeenth century was an unhealthy place. Small-pox was almost always rife, and Wood frequently makes the significant entry that 'small-pox was at this

¹ The official record of the consecration, in Latin, was printed from the College records in a volume of *Miscellanies* by the Oxford Historical Society in 1905. Since then an account in English has been found in Abingdon's *Antiquities of Worcester* (p. 192). For convenience of comparison the two accounts are printed in parallel columns in Appendix D.

time very brief', i. e. very speedily fatal. And although Oxford was spared by the great pestilence of 1665, it was often visited by a 'malignant feavour' which was 'looked upon as little better than the plague'. Young scholars, adds Wood, were glad of it that they might have excuses to go home.¹ And it cannot have added to the healthiness of a College to have the victims of these diseases buried within its walls. One of the most striking facts is the number of Fellows who died about the age of thirty.

The opening of the new Library and Chapel gave to the College new rooms and additional rents. The old Library (now IV. 3) became from the first a Fellow's rooms, as they have probably remained ever since. In 1678 we find that the large room was wainscoted for Mr. Hinde, the Bursar, at a cost of £43. The old Chapel and its premises took up the first and second floors on the modern No. I staircase. The inner Chapel, now the Senior Common Room, was turned into rooms and rated at £5 a year. The 'great cock-loft' over it (the three attic rooms over the Senior Common Room) paid the same rent. £3 was paid for the outer-chapel (now annexed to the Common Room) and also for the 'corner-chamber' (now I. 4), while the 'cock-lofts' over them were assessed at £2 apiece.

Oxford undoubtedly, and indeed inevitably, shared in the moral relaxation which resulted from the reaction against the excessive rigour of Puritanism. Wood, though no Puritan, constantly bewails the decay not only of discipline but of learning that followed the Restoration. Practices which had formerly been frowned upon, were now the fashion. It was almost necessary, if one wanted to be deemed a good royalist, 'to put out a wanton expression, and, as occasion served, a pretty little oath.'² On the other hand, overmuch study savoured of the precisian, and was enough to ruin a man's social reputation. Coffee-houses, a recent introduction into England, became as popular in Oxford as in London, and their frequenters spent much of the day in gossip and scandal.³ Nor was their growth at all damaging to the more old-

¹ Wood ii. 254.

² Ibid., i. 366.

³ Ibid., i. 168, 201; ii. 300.

fashioned tavern. Drinking was the vice of the age, and Oxford went with the times. Smoking was also at this period becoming an almost universal practice. And habitual excess in self-indulgence was by no means confined to undergraduates. Wood complains that the old distinctions of age and rank were completely neglected. Bachelors jostled Masters and Doctors, while undergraduates were hail-fellow-well-met with all.

Brasenose was no exception to the general rule. We find in a dinner bill of 1672 that nine quarts of claret were consumed at a cost of 9s. 9d.: that nine quarts of canary cost 19s. 6d.: that £1 os. 7d. was paid for tobacco and pipes: while the charge for bread was 9d. The proportions are quite Falstaffian! If Wood can be trusted, the College must have witnessed a noble entertainment in 1669 when the Proctors (the Senior being a Brasenose man) 'drank out in wine at dinner at Brasenose the sum of £80'.¹ The undergraduates naturally imitated the dissipation of their seniors. 'Fresh nights' seem to have been licensed occasions²: but more irregular festivities took place out of College. In 1683 that most indefatigable of proctors and gossips, Mr. Arthur Charlet, arrested a citizen's daughter for 'dancing in the Miter Inn with Brasenose men in boy's apparel'.³

There is another story about the College which does not necessarily reflect upon the character of the inmates, but which would certainly startle the modern Don. On Sunday, October 22, 1671, at eight in the evening, a baby was left in the quadrangle. The child cried, and Mr. Richard Duckworth, the Vice-Principal, hearing it, went into the Buttery to fetch a candle in order to find it. In the meanwhile a Bachelor of Arts carried it away under his gown.⁴ There the story ends. We can only hope that the B.A. was neither conscious of responsibility in the matter, nor a young anatomist seeking for material for study.

These anecdotes must not be taken as evidence of exceptional dissoluteness in Brasenose. At least equally damaging stories could be collected about almost any College at the

¹ Wood, ii. 165.

² Ibid., ii. 96.

³ Ibid., iii. 57.

⁴ Ibid., ii. 233.

same time. They are the sort of things which are recorded, while the ordinary wholesome conduct of life is forgotten. Antony Wood, who is our chief authority, was a malicious as well as an industrious collector of Oxford scandals. And it must further be remembered that such methods of indulging animal spirits and of consuming leisure moments were inevitable in default of other and more wholesome recreation. There was no boating, no cricket, hardly any football, and of course no golf, racquets, or other similar games. If a man wanted exercise, he must either ride, which was expensive, or walk, which to many was monotonous and dull. Wood quotes two rude hexameters as summing up the life of a studious man;

Morn. mend hose, stu. Greeke, breakfast, Austen, quoque dinner,

Afternoone wa. me., cra. nu., take a cup, quoque supper ;

and translates them: 'in the morning mend his hose or stockings, study Greeke, break his fast, study Austen, then go to dinner; in the afternoon walk in Ch. Ch. meade, crack nuts, and drink, and then for supper.'¹ The idler man cut out the Greek and the Austen, put in the same meals, and extended the time for drinking. If he cracked nuts, he probably did so with his claret or canary. Games and athletic sports may have been overdone in modern times, but at least they have helped to keep men from loafing in taverns and from dancing at the Mitre with girls in boy's clothes.

And, even in the indolent days of Charles II, there was another and more serious side to College life. Neither tutors nor pupils were always in pursuit of pleasure. Dr. George Clarke, whom we shall meet again, writes in his brief but valuable autobiography: 'I went down to Oxford and entered myself at Brazen-nose College, under the tuition of the Rev. Mr. Ralph Rawson, an old cavalier and admirable tutor. He used to read to us constantly twice a day, not excepting Sundays. I was the last pupil he took, and he left the College to go to his parsonage of Rollright in about a year, much too soon for my advantage.'² In the case of another Don,

¹ Wood, i. 234.

² See the Popham Papers (Hist. MSS. Comm.), p. 260.

Mr. James Hamer, we possess five letters to the brother of a pupil which show a real sense of a tutor's responsibilities and a genuine desire to fulfil them.¹

Education in the later seventeenth century proceeded in the main upon conventional lines. The University provided a few Professors and Readers who occasionally delivered formal lectures, and would probably have been astonished if many undergraduates had attended. The ordinary man got his teaching within his College. Ever since 1614 Brasenose had provided four Lecturers, in Humanity, Greek, Hebrew, and Philosophy. No change took place except that Philosophy came to be called 'Natural Philosophy', and at the end of the century a fifth lectureship, in Mathematics, was instituted.² But in addition to their teaching, and the 'readings' of a self-sacrificing tutor like Ralph Rawson, another exercise was imposed on junior members of the College after April, 1663. Every day one or other of the undergraduates had at the mid-day meal to recite from memory some passage from an approved Greek or Latin author. After the recitation, he had to appear before the Principal, Vice-Principal, or the Senior Fellow dining, to be examined in the passage. The selection of the daily passage was to be made by the Principal, Vice-Principal, or Senior Fellow, at least three days before it had to be delivered. The task might also be imposed, out of the ordinary rotation, upon any B.A. or a scholar who had been guilty of serious delinquency or disobedience, and it might be repeatedly exacted in place of a pecuniary fine. If any one failed to perform the exercise, or showed any lack of diligence in doing so, he was to be *omnino puniatur* (whatever that may mean) by the Principal, Vice-Principal, or Senior Fellow.³

While College teaching remained on the whole unprogressive in scope and method, there was within the University

¹ These letters, which show how a seventeenth-century tutor dealt with a familiar problem, the getting rid of an undergraduate who has not quite deserved expulsion, are printed in Appendix E.

² The first election to the Lectureship in Mathematics was in 1700.

³ Vice-Principal's Register, B.

a new educational departure in which one would like to claim for Brasenose at any rate a humble share. It was an age of eager curiosity and of real research in the domain of Natural Science, especially in Chemistry, Anatomy, and the study of Medicine in general. Charles II himself was keenly interested in these subjects, personally conducted experiments, and loved to discuss them with men like Roger Boyle and John Evelyn. London had its Royal Society, which has played so honourable a part in the development of Science, and Oxford had its Philosophical Society, at once a copy and a rival of its contemporary in the capital. Several of the early teachers of Science were imported from foreign countries.¹ But Oxford soon produced men who were capable of independent work of their own. Among the most eminent of the early students of Anatomy was William Petty, who, says Hearne, 'in the beginning of our Civil War (being very poor) came to Oxon, studied Physick, cut up doggs and taught Anatomy: in the war (after Oxon was taken) was made Fellow of Brasen-nose, the Visitors putting Loyal persons out, to put him and such others in.'² Evelyn³ tells a story how Petty and three other students of Anatomy obtained the body of a young woman who had been hanged for child murder, found life not to be extinct, and succeeded in reviving her. On another occasion other students had a similar experience, but this time an over-zealous Mayor insisted upon recapturing the victim, and hanged her more effectually a second time, amid the well-deserved hoots of the mob.

Other Brasenose men pursued the same studies of which Petty, the first President of the Royal Society in Dublin, was one of the earliest prosecutors. Thomas Frankland, as described above, might have been a successful physician if he had not adopted dishonest methods of obtaining recognition. Edmund Entwistle, a Fellow of the College (1681-92), was one of the earliest members of the Philosophical Society, which met every Tuesday in the Natural History School.⁴

¹ See especially Wood, i. 472.

² *Hearne's Collections* (ed. Doble), i. 78.

³ Evelyn's *Diary*, March 22, 1675.

⁴ Wood, iii. 78.

Charles Leigh (a member of the College from 1679-89) took the degree of M.D., practised in London and Manchester, published a *Natural History of Lancashire* in 1700, and wrote largely on medical subjects. Unfortunately experts declare his writings to be of little value, and one adds that 'his vanity and petulance at least equal his want of literature'. He was, however, elected an F.R.S. in 1685. Edward Norris (matriculated in 1683), a brother of Sir William Norris, the famous envoy to India, and of Admiral Sir John Norris, who helped Peterborough to take Barcelona, was also an M.D., a Fellow of the Royal Society, and of the Royal College of Physicians. Richard Boulton (matriculated in 1697) wrote numerous works on medical subjects, but his success as a practitioner was not proportional to his theoretical knowledge. Pierce Dod (matriculated in 1698) was more successful in practice, rose to considerable professional eminence in London, and was chosen to deliver the Harveian Oration in 1730. But his views were unprogressive, and he is chiefly remembered as a vigorous and outspoken opponent of inoculation. This list, which is by no means exhaustive, will serve to illustrate the growing interest in the study of medicine. It is probable that a larger proportion of Brasenose men proceeded to medical degrees between 1690 and 1710 than in any other equal period in the history of the College.

But, from the point of view of Oxford, the most eminent Brasenose name in connexion with the study of Science and kindred subjects in this period is that of Elias Ashmole. Ashmole's connexion with the College was an unusual one. He was born at Lichfield in 1617, became a solicitor, and in 1638 married a Cheshire lady, Elizabeth Mainwaring, whose family contributed more members to Brasenose than any other in the century. After his first wife's death he became a commissioner of excise, and in that capacity came to Oxford. The Mainwaring connexion attracted him to Brasenose, which he entered in 1644, and he devoted himself to the study of Mathematics and Physical Science. In 1649 he was married to a Lady Mainwaring, probably a connexion of his first wife, although she was twenty years older than himself, the widow

of three husbands, and the mother of grown-up sons. This second marriage involved him in violent quarrels with his stepsons and in protracted lawsuits, but it enabled him to 'enjoy his wife's estate, though not her company for altogether'. Being now comfortably endowed, he took up his residence in London and pursued his studies there. From his friend, John Tradescant, he received the bequest of the museum of curiosities which the latter had formed during an adventurous life, and he enriched it with his own collections. In 1677 he offered the museum to Oxford, on condition that the University would build a home to receive it. This building, between the Sheldonian and Exeter, was completed in 1682, and Robert Plot was appointed the first Curator. In 1690 Ashmole, though now so feeble that he had to be carried in a sedan chair, was entertained at dinner by the University in the upper room of the Museum in the midst of the rarities which were already housed there. The next day he dined with the Dean of Christ Church, and on the following day he was appropriately entertained by the Principal of his own College.¹

Thus the Ashmolean is peculiarly a Brasenose benefaction to the University. By Ashmole's own direction the Principal of Brasenose was to be *ex officio* a Visitor of the Museum.² It has now become one of the glories of Oxford. And it is not a little gratifying to think that one of the most eminent of modern Brasenose men will be handed down to posterity as the second founder of the Ashmolean, and that among the generous and enlightened supporters who have aided Dr. Arthur Evans in carrying through his work of reform and expansion, not the least generous and enlightened has been the College of which Elias Ashmole was once a member.

Dr. Thomas Yate did not play the prominent part in the general affairs of the University to which his business abilities seemed to entitle him. He was never Vice-Chancellor, although, if he reckoned from his original election, he must have been among the most senior Heads of Houses. Perhaps the masterful Dr. Fell, who could brook no rival, was as

¹ Wood, iii. 334.

² Ibid., iii. 109.

hostile to the elevation of Yate as he was to that of Ironside. But he found time amidst the cares of the College to be active in the management of the University Press, which after 1669 was housed in the basement of the new Sheldonian Theatre; he was specially chosen, on account of his legal knowledge, to represent the University in London during the great dispute as to the oath imposed upon the Mayor and citizens of Oxford¹; and he was twice included in the list of delegates to whom the duke of Ormond, Clarendon's successor in the Chancellorship, transferred his power and jurisdiction during his absence in Ireland.

Yate lived through the sensational session of Parliament in 1681, when Oxford nearly became the starting-point of a new civil war. But he was dying at the time, and probably left to others the task of distributing rooms to the members and their attendants. On April 22 he died, and was buried in the Little Cloister close to the chapel door.² There can be no doubt that he holds an honourable place among those who have guided the destinies of the College. His chief fault was his eagerness to feather the family nest. His brother, Jeremiah Yate, was made Steward of the College, and died three months before the Principal. In 1667 we are told by Wood that 'a fellowship at Brasenose being void, two or three able and indigent scholars stood for it, but Dr. Yate, the Principal, being minded to prefer a kinsman, one William Yate a bachelor of Brasenose, to it, took all occasions to bring him in, but could not because he was a dunce and altogether uncapable. At length, certain of the fellows being absent or out of town on preaching, he called a meeting, and making a party, elected him'.³ He adds the comment of a Christ Church man that 'men of merit were not preferred, but dunces and squint-eyed fellows'. This William Yate held his fellowship and his share of College offices until his death in November, 1679. Another nephew, Thomas Yate, whose father served as curate for the Principal and afterwards as

¹ Wood, i. 372.

² The inscription above his grave is given in Appendix F.

³ Wood, ii. 107-8.

Rector at Middleton Cheney, became a Fellow in 1670, was appointed executor under his uncle's will, and followed him to the grave in January, 1682. Thus the Yate dynasty, unlike that of Greenwood, became extinct almost at the same moment. All four of its members, the Principal, the Steward, and the two Fellows, were interred in the cloisters. But a great-nephew of the Principal, a third Thomas Yate, held a Fellowship from 1690 to 1699, and the family name continued to appear from time to time on the College books through the foundation of a Yate Scholarship, with a first preference to kinsmen. The Principal also left to the College the advowson of Middleton Cheney, of which his brother Samuel remained Rector till 1693.

Of John Meare, who was elected by a majority to succeed Yate, we know little beyond his external history. Like his predecessor, he came from Cheshire; he matriculated in 1665, and he became a Fellow in 1670. He held with the principalship the livings of Great Rollright from 1687 and Middleton Cheney from 1693, and became Canon of Wells in 1703. In 1697 he was Vice-Chancellor of the University, but only held the office for one year. He followed recent precedents in using his patronage in favour of relatives. A nephew, Thomas Meare, was Fellow of the College from 1698 to 1715, having become Rector of Cottingham in 1714. And a son of the Principal, John Meare, held a fellowship from 1704 till his death in 1715. Another son and nephew were scholars of the College. It was not common in the seventeenth century for Heads of Houses, who generally married late in life, to have large families of their own, and it may be that Principal Meare thought more of domestic than of College administration.

Although the College as a whole has little history under Meare, its individual members were not without concern in the stirring events of the time. The Whig party was for a time almost annihilated after the dissolution of the Oxford Parliament and the discovery of the Rye House Plot. Nowhere was Toryism more loudly triumphant than in Oxford. In May, 1683, the Duke of York, with his wife and daughter, paid a state visit to the University, and were formally wel-

came by the various Colleges. Wood tells us that they drove in their coach along Brasenose Lane and were received by the Society 'in their formalities'. The Vice-Principal, Dr. John Blackburne, delivered an ill-spoken Latin speech, and Edmund Entwistle, a junior Fellow, 'spoke one in English much better.'¹ In July the University decreed in Convocation that certain books by Hobbes, Milton and others, as containing 'damnable tenets and propositions', should be solemnly burned, and a grand bonfire was accordingly lighted in the Schools quadrangle amid the loud 'hums' of the surrounding Doctors and Masters. This was followed in September by the expulsion from the University of James Parkinson, whom Hearne calls 'a rank stinking Whigg'. Parkinson had matriculated at Brasenose as a servitor in 1669, but had left the College in the following year to become a scholar of Corpus, then the stronghold of Whig opinions in the University. From Corpus he was ejected in 1674 for abusing the President, and took his degree from Gloucester Hall. Nominated to a Fellowship at Lincoln on account of an excellent speech at the Encaenia, he continued to fearlessly express unpopular views on hereditary succession and the nature of sovereignty. His consequent expulsion gave him a claim on the Whigs, and in 1689 he was re-admitted to the University by Gilbert Ironside. Appointed by Archbishop Tillotson to the head-mastership of King Edward's School, Birmingham, his 'very furious and fiery' temper involved him in quarrels with the governors which nearly ruined the school. It is almost the only exception to the flawless Tory record of the College at this time that it was the first home in Oxford of the most notorious academic Whig of his generation.

Under James II Oxford loyalty was severely strained and ultimately broken by the injudicious favour which the King showed to a small group of Oxford papists. Their leader was Obadiah Walker, the Master of University College, and among his most intimate disciples was a Fellow of Brasenose, John Bernard or Barnard. A contemporary writes thus of

¹ Wood, iii. 53.

the little group¹: 'His [Walker's] congregation consists of no less than four, he himself making one of the number, two poor sorry Fellows of his own College, and a shatter-headed Fellow of Brasen-nose College, one Bernard. They sing Mattins and Vespers very devoutly in their way—for aught I know—but they are become extremely despicable. Ridiculous to that degree that some young wags of Christ Church the other day sent old Job—a poor natural who looks after their college dishes and trenchers—with this song, which he sang at Walker's door—

O, Old Obadiah
Sing Ave Maria!
But so will not I a
For why a
I had rather be a fool than a knave a.'

John Bernard, the Brasenose protagonist in the unsuccessful attempt to restore Roman Catholicism, first in Oxford and then in England, was the grandson through his mother of Peter Heylin, the learned and pugnacious historian and controversialist. His father had been a Fellow of Lincoln, and wrote a biography of his father-in-law.² The younger Bernard followed his father to Lincoln in 1676, and took his B.A. degree from that College. In the next year he was elected to a fellowship at Brasenose. His descent from the blind champion of the cavalier party was enough to commend him to Obadiah Walker, himself a fanatical loyalist. Under the latter's influence Bernard became a convert to Roman Catholicism during the winter of 1685-6, and his change of faith was publicly avowed when he abstained from the sacrament at Easter and received (with Walker, Boyse, and Deane) a formal dispensation from the King, enabling him to abandon his membership of the established church without losing anything by doing so.³ As a sort of advertisement of his conversion, he took the second

¹ MSS. of S. H. Le Fleming, Esq., of Rydal Hall, p. 200.

² It is noteworthy that the rival biographer of Peter Heylin, George Vernon, was a Brasenose man.

³ Gutch, *Collectanea Curiosa*, i. 287; see also Wood, iii. 171, 177, 183-4; Le Fleming MSS., 199.

name of Augustine, double Christian names being at this time almost unknown in England. The gratified king rewarded him with a mandamus for a doctorship of Civil Law,¹ and with a royal nomination to the White Readership of Moral Philosophy.² That Bernard was not lacking in courage is proved by his venturing in his inaugural lecture to attack the Reformation and to defend his own change of faith. Wood records that the attendance was numerous, and that only 'five or six hissed at the conclusion, supposing the rest would follow (but did not)'.

It is possible that in May, 1687, when this address was delivered, both lecturer and audience were uncertain as to the issue of the King's endeavours. Within little more than twelve months all doubt had been removed. The majority of the dissenters refused to accept the proffered indulgence from a popish king; the trial of the seven bishops exasperated the Tory churchmen; and the birth of the Prince of Wales convinced good Protestants that it was no longer safe to wait for redress till James's death. So Tories and Whigs invited William of Orange to come over, and when James ran away to France, they had no feasible alternative but to put William and Mary on the throne. Before this was settled poor John Augustine Bernard found that a dispensation from an absentee king would no longer cover a breach of the law, and anticipated deposition by resigning both his fellowship and his readership. As he is the only Brasenose man in this period who held a University teaching office, it is disappointing that the circumstances of his appointment were so exceptional and that his tenure was so short and precarious. His subsequent history is obscure. He joined James in Ireland, and was kindly received by him. But after the battle of the Boyne, when his patron returned to St. Germain's, Bernard is reported to have been found at Chester 'very poor and bare and reconciled to the Church of England', and to have been maintained for some time by the kindness of Bishop Stratford.³ If it be

¹ Wood, iii. 215.

² Ibid., 217; *Annals*, p. 152.

³ Wood, iii. 340.

also true that he subsequently held the livings of Little Ludford and Kelstern,¹ then the disciple of Obadiah Walker must have abjured his master's political as well as his religious creed.

Many Tories, who had been driven in the interests of the Church to oppose the government of James, found a difficulty in taking the oath of allegiance to his successor. Considering the strength of Oxford traditions and the vehemence with which it had protested in 1683 against any attacks on the principle of hereditary right, it is rather remarkable that there were not more non-jurors in the University. In Brasenose Principal Meare took the oath on July 8, 1689, at the same time with the Vice-Chancellor, Gilbert Ironside, and President Bathurst of Trinity.² All the Fellows except one followed the Principal's example. The exception was William Pincock, whose fellowship had in 1684 been suspended by authority of the Visitor until the debt which he had contracted as Senior Bursar in 1682 had been made good to the College. Three undergraduates refused their B.A. degree rather than take the oath. The list of non-jurors, said to have been drawn up by the desire of James II, also records that James Eckersall, a Fellow of Brasenose, 'professed himself a penitent.'³ But his penitence did not prevent his retaining his fellowship till 1699.

In Meare's later years his mind became deranged, and serious difficulties arose about the conduct of College business. On an appeal from the Fellows as to whether officers could be elected and accounts audited in the absence of the Principal, the Visitor decided at the end of 1708 that the existing holders should retain their offices, but authorized the Vice-Principal, James Smethurst, to audit the Bursar's accounts. But Smet-hurst died in 1709, and a new dispute arose as to whether his successor could be appointed. On appeal, the Visitor suggested that the seven senior Fellows should request from him such an interpretation of the Statutes as might enable them to proceed to the election not only of a Vice-Principal but of such other

¹ Foster, *Alumni Oxonienses*, s.v., John Bernard.

² Wood, iii. 305.

³ *Life of Kettlewell* (London, 1718), App. p. xxxii.

officers as ought to be chosen annually. But the seven seniors proved to be divided; three voting for such a petition as the Visitor suggested, the other four opposing it as unnecessary and demanding the immediate election of a Vice-Principal. When the Senior Fellow dissolved the meeting, the four (who included Robert Shippen) proceeded to elect William Thompson, one of their number, to the vacant office. The Senior Fellow and his colleagues at once complained to the Visitor, who, in a warm reply, declared the election of Thompson void, and vested the authority of the Vice-Principal in the Senior Fellow. At the end of the year he again continued the existing officers.¹

The difficulty was ended by Meare's death on May 18, 1710. On June 2 Robert Shippen, who had migrated to Brasenose from Merton in 1697 and had been elected a Fellow in 1699, was chosen Principal by one vote over Dr. Smith, a former Fellow and Principal of Hart Hall. Hearne compares the two candidates to Shippen's disadvantage, and attributes his election to his youth, to his superior worldliness, and to the expectation of the Fellows that they would 'live easy under him without prosecution of studies according to the modern custom'.² But Hearne is habitually unfair to Shippen, whom he did not hesitate to court when it was his interest to do so. A few years later, when a dispute arose about the living of Whitechapel, he says: 'This Shippen is so illiterate a man that he understands nothing of Latin. Nor can I learn that he ever yet preached. He is a mere Hocus Pocus, and very unfit for a cure of souls.'³

Principal Shippen, whether he was a model clergyman or not, belonged to a notable family. He himself was made Professor of Music in Gresham College in 1705 and a Fellow of the Royal Society in 1706. Two of his brothers had entered Brasenose before him. The elder, Edward Shippen, after taking his B.A. and M.A., was admitted Bachelor and Doctor of Medicine, and succeeded to the Gresham professor-

¹ This account is taken from a MS. List of Officers, &c., drawn up by John Holmes, Fellow of Brasenose (1770-88), and bequeathed by him to the College.

² *Hearne's Collections*, iii. 8.

³ *Ibid.*, vi. 16.

ship in 1710. The younger, William, who matriculated with Edward in 1687, migrated from Brasenose, after a year's residence, to Trinity College, Cambridge, entered into politics, and became famous as 'downright Shippen', the leader of the handful of Tories who opposed Walpole. Walpole declared him to be the only incorruptible man he knew. The Principal, soon after his election, married Frances, daughter of Richard Legh of Lyme, and widow of Sir Gilbert Clarke. In honour of his marriage the Fellows allowed him to extend the Principal's house southwards by annexing the rooms which lay between it and the new Library. On his election at Brasenose he handed on his professorship to one brother, while his marriage enabled him to enlist the Legh interest in favour of another brother, and thus to secure for William Shippen the safe seat at Newton (Lancashire), which he held for five successive parliaments. The only relative who benefited directly by Shippen's tenure of the principalship was a nephew, Robert Leybourne, who was Fellow from 1715 to 1730, when he took the Rectory of Stepney. He subsequently returned to Oxford as Principal of St. Alban Hall, and became his uncle's executor. Through him some of the famous Clarke papers, which had come to Principal Shippen as George Clarke's executor, passed to the Leybourne Pop-hams of Littlecote, a family which sent two representatives to Brasenose in a recent generation.

At a time when the governing bodies of Queen's and Jesus produced two eminent Secretaries of State in the persons of Joseph Williamson and Leoline Jenkins, it cannot be said that the Fellows of Brasenose achieved much eminence beyond the limits of the College or University. Richard Duckworth, who was made a Fellow by the Visitors in 1651, and who succeeded Daniel Greenwood in 1679 in the Rectory of Steeple Aston, was apparently a serious student. At any rate we have it on record that he borrowed a Codex from the Library at Leicester in 1671, and entered into a pledge for its restoration.¹ Matthew Hutton, who succeeded to Petty's fellowship

¹ Corporation of Leicester in the seventeenth volume of Hall Papers.

in 1659, was a diligent antiquary, as well as, according to Wood, 'an excellent violinist.' He resigned his fellowship in 1679 on taking the Rectory of Aynho, and employed his leisure there in compiling thirty-eight volumes of extracts from diocesan registers which were bought by Harley for £150, and are now among the Harleian Manuscripts in the British Museum. William Ashton or Assheton, who was elected to John Houghton's fellowship in 1663, and resigned it to become a prebendary of York in 1674, was reported in 1689 as likely to succeed Cartwright in the bishopric of Chester,¹ and was one of the most fertile authors of religious books in his generation. Thomas Hinde, the Senior Bursar who had the old Library wainscoted, resigned his fellowship to become Dean of Limerick in 1680. James Holt, who was Fellow from 1668 to 1685, sat for Lancashire in the Parliament of 1685. Edmund Entwistle, already referred to as the first secretary of the Philosophical Society, became afterwards Canon and Archdeacon of Chester. The career of Thomas Frankland, perhaps the ablest Fellow since Petty, has been fully described. The list of notabilities is hardly imposing either in number or quality.

It only remains to say a few brief words about the distinguished men who spent some part of their lives in the College, but who are not otherwise connected with its corporate history. The two most eminent Brasenose men living in 1660 were Jeremy Taylor, whose connexion with the College was a brief one, and William Petty, who had been Fellow and Vice-Principal, but had been imported during an unpopular régime. Petty was one of the most versatile men of his time, equally distinguished as a man of science, as a practical administrator in Ireland, and as a political economist. Among those who entered the College during the period covered by this chapter, only two obtained distinction as men of letters: George Prince, the author of the *Worthies of Devon* (1701), who matriculated in 1660; and Thomas Carte, the most learned, though not the least prejudiced, historian of his generation. Carte entered University College in 1698 at the age of twelve,

¹ Wood, iii. 302.

migrated to Brasenose in the following year, and after taking his B.A. degree here was incorporated at King's College, Cambridge, from which he took his M.A. degree in 1706. His greatest work, the *Life of Ormond*, is still an invaluable repertory of information for Irish history in the seventeenth century.

A curious literary personage is also connected with Brasenose. In 1673 the University conferred the degree of D.Med. by diploma upon James Alban Gibbes, Poet Laureate to the Emperor Leopold and 'the Horace of his age'. He was the son of William Gibbes, a Brasenose man who had married into the Roman Catholic family of Stonor, had accepted his wife's faith, and was for a time physician to Henrietta Maria. The son was educated at St. Omer, studied anatomy at Padua, and settled, as a doctor, at Rome, where Evelyn visited him in 1644 and describes him as 'an excellent poet'.¹ A handsome appearance, the command of six languages, and some medical skill, earned him the patronage of popes and cardinals, while his Latin verses were rewarded by the Emperor with a medal and laureation. When Oxford gave him a degree, he presented the Emperor's medal to the University and placed his name on the books of his father's old College.

To the Church, with the exception of Jeremy Taylor, Brasenose gave no one of anything like the first rank. Wood assigns only three bishops to the College, though the number may be increased if Irish prelates are included. Nor was its contribution to the legal bench more conspicuous. Charles Ingleby, a Roman Catholic barrister, who narrowly escaped prosecution at the time of the Popish Plot, was knighted and made a Baron of the Exchequer in July, 1688. But the Revolution was fatal to his retention of judicial office, and he is one of the few men who have returned from the bench to practise at the bar. He was fined in 1693 for refusing the oath of allegiance. More eminent was Robert Eyre, who was a gentleman commoner of Brasenose from 1683-5. In 1684 he recited at the Encaenia a Latin poem on 'Vienna Liberata'

¹ Evelyn's *Diary*, November 4, 1644, and January 25, 1645.

—‘incomparably well,’ says Wood.¹ Eyre belonged to a distinguished legal family, and both his father and cousin were judges of the King’s Bench under William III. He himself went to the bar in 1689, sat for Salisbury in four successive parliaments, and became Solicitor-General in the now exclusively Whig ministry in 1708. Although he disapproved of Sacheverell’s impeachment, he was one of its managers, and was rewarded with knighthood and a seat on the King’s Bench just before the ministry fell. Later he became Lord Chief Baron and Lord Chief Justice of Common Pleas. He was an intimate friend of Marlborough, Godolphin, Walpole, and other eminent politicians.

Of politicians, in the shape of ordinary members of parliament, Brasenose had its full share. But none of them, except William Shippen, who belongs to a later period, achieved any great distinction in the House. The most interesting, from an Oxford point of view, was George Clarke, whose father, the famous Sir William Clarke, had been Secretary at War during the Commonwealth and the early years of Charles II. George Clarke took his degree as a commoner of Brasenose in 1679, and in the next year was elected to a Fellowship at All Souls which he retained till his death. On the death of Sir Leoline Jenkins in September, 1685, Clarke was chosen at a bye-election to represent the University, but James II prorogued the parliament before he took his seat and never allowed it to meet again. Under William III he received his father’s old office of Secretary at War, and his autobiography, already mentioned, contains valuable notices of the military operations in Ireland. In 1705 he was turned out of office for voting for a Tory Speaker, but on the formation of the Harley–St. John ministry he obtained a lordship of the Admiralty which he held till Anne’s death. In 1717 he once more became Burgess for the University at a bye-election, and continued to represent it as long as he lived. He was a generous benefactor to both All Souls and Worcester, to the latter of which he bequeathed

¹ Wood, iii. 105.

most of his papers, and he will always be memorable in Brasenose history as the donor in 1727 of 'Cain and Abel'.

John Robinson, who took his B.A. degree as a servitor of Brasenose in 1673, and who quitted the College to become a Fellow of Oriel in 1675, achieved no inconsiderable distinction as a diplomatist. Having taken orders, he served as chaplain to the English embassy at Stockholm, and in the absence of the envoy acted as his substitute. He was so successful in conducting the relations between England and Sweden that he was appointed a regular ambassador, and on his return was rewarded, first with the deanery of Windsor, and a year later with the bishopric of Bristol. In 1711 he was made Lord Privy Seal, and was the last bishop to hold cabinet office. On the opening of negotiations by Bolingbroke, Bishop Robinson was sent to the Congress of Utrecht as the first English plenipotentiary. After the conclusion of peace in 1713 he was promoted to be Bishop of London in succession to Henry Compton. He died in 1723.

An ambitious but not very successful Brasenose politician was John Edisbury, who has been rather cruelly excluded from the *Dictionary of National Biography*. Sprung from a family of some rank in Denbighshire, he entered Brasenose in 1661, took his B.A. and M.A. in due course, and in 1672 received the degree of D.C.L. In 1679, after the dissolution of the long Cavalier Parliament, there was a vigorously contested election for the University which resolved itself into a triangular struggle between Heneage Finch, the Solicitor-General, Dr. John Lamphire, the Professor of History, and Dr. Edisbury of Brasenose. The last was at the head of the poll, and, after a recount, Finch obtained the second seat by four votes over Lamphire. Wood says that Edisbury 'carried it by the juniors and potmen, he being one himself'.¹ But this was not the first time that he had sought the suffrages of his fellow graduates. In January, 1674, there had been a bye-election, when the elder Heneage Finch had vacated his seat on taking the Great Seal from Lord Shaftesbury. On that

¹ Wood, ii. 443.

occasion Edisbury had come forward, though he did not go to the poll, and in reference to his candidature Wood uses the odd expression, 'Edisbury then stood, like an impudent fellow: he stood to be king of Poland.'¹ This last phrase has never been adequately explained. It is probably used ironically to express contempt for the candidate's excessive self-esteem. At any rate there is no reason to suppose that Edisbury was a serious rival to the great John Sobieski. But one would like to believe that the members of the Polish diet, in the midst of their prolonged agitation about filling the vacant throne, received some intimation that if they wished for a really efficient sovereign they could find one in a Brasenose graduate.

¹ Wood, ii. 279.

APPENDIX

A.

TWO LETTERS FROM J. HOUGHTON
TO PRINCIPAL YATE

[These letters, which have been discovered in the last few months, throw some light upon the proceedings of the Commissioners of 1660 as regards Brasenose. Bursar Houghton, who was on the Commission, appears to have been rather a time-server, but it is gratifying to find that the out-going Principal, Dr. Greenwood, was not harshly treated by his successful rival, Dr. Yate.]

29 Aug. 60

S^r

Yesterday appeared before o^r Bord m^r Rydgway & m^r Sproston when y^e former was removed to give way to m^r Church. I am given to understand y^t m^r Rydgway is gone this day towards London. I would have spoken with him about his Accounts but he was not at home. If he be in London you may heare of him at Mr Antrobus his house at y^e starre in St. Pauls churchyard, or at m^r Eytons at y^e 3 golden cocks in cheapsyde, perhaps y^e man is gone away in a Pelt, I wish heartilie y^t you could meet with him, to know when he will give up his Account. He is solvand. S^r when you have rec^d m^r Lytlers resignacon I pray let mee know for I would willinglie (before I goe to Salisbury with y^e Deane of y^t church) see m^r Roberts & m^r Blackburne in their fellowships, y^e former will be provided for by m^r Lytlers resignacon (to secure T. Gourney) & y^e Latter by removing m^r Duckworth who has much decreased o^r expectation for wee took him for a modest, good natured man, but wee found him of a sower, harsh disposicion, & almost intolerable, nothing (I am told) will please him (He has beene a Schoolmaster, and then you may conclude him pragmaticall). He says y^t he came into m^r Sixesmiths place (& for perhaps he might) but we will know y^t m^r Sixesmith

was in a manner forced out of his fellowship before his tyme, for when Newton & Leicester were removed, soone after m^r Sixesmith was advised by his friend D^r. Reynolds to resign upp his fellowship (Long before his yeare of grace was out) otherwise y^e Visitors would spare him y^t labour, and declare his place voyd. This I am perfectlie assured of. S^r I shall say noe more than I have done in relacion to D^r. Greenwoods stay in Staple Hall but it is much wondered at by many y^t he should desire such a courtesie, or y^t you should grant it to him being asked it. y^e d^r is my friend, & I pray God he prove yours. S^r d^r Baldwin goes this day for London by whome I send this He will tell you all our news here. I am, S^r. y^r friend

Jo. Houghton

S^r this lay ready for d^r Baldwin but he went hastilie home for y^t I am necessitated to send it by y^e Post this day. I rēcd y^{rs} last night, in wch there is nothing of moment to be answered (wch this letter will not satisfy you in) onely let me inform you y^t Dr. Greenwood y^s at y^e College and truly not in a travayling condicon, by reason of his health. S^r I am told just now y^t Rydgway is returned to y^e Coll: my man saw him this instant. I am now going to o^r Bord & will at my return watch an opportunitie to speak with him &c.

30 Aug. 60. I pray put my service to y^r good Lady & to S^r Peter. When you see him again I hope he will at last think of his debt to y^e Coll: and of what he owes to my selfe in particular.

These

To the right wo^{pl} Dr
Yates att his house by
y^e Plow stables in
Lyncoln Inn ffeilds
with my service.

S^r

I am sory y^t my Journey calls mee soe speedilie away, y^t I cannot kisse y^r hand before I goe, especially at such a tyme when you may have an occasion to make use of my service. If y^e occasions detayne you any time att y^e College,

I will hasten my return to wayt on you, though I goe back to Salisbury to fetch home m^r Deane, my Intentions are to be at Oxford againe uppon Satturday night next. S^r I have left with m^r Newton y^e papers contayning m^r Rydgways Onus & Exoneratio, by wch you may guesse at his engagements to y^e College, but if my memorie fayle mee not I think he borrowed some money of y^e College (not yet repayd) wch must be added to y^e foot of his Account (for he made noe mention of it att all when I drew up those Accounts). Jack Newton will tell you, y^t orders are issued out from our Bord to m^r Bruen & m^r Rydgway to avoyd their chambers in 4 days, for y^t they are now at y^r mercy. S^r I did not put m^r Roberts name into y^e College book, although m^r Lytler has resigned, I think it fitter for you to doe it than my selfe because y^e Resigna^on is in y^r hand, if you desire an order from y^e Visitors, it will be granted when you please to comānd it, and it is I conceive fitt to be obteyned because then you are secure for not electing a new fellow into m^r Lytlers place, and this will prove a good expedient for m^r Roberts restoreing &c. S^r when our Lancaster fellowes were called before us, it was soe late in y^e morne being neare 12 a clock, y^t we had not tyme to put in m^r Blackburn, but I think y^e bord is provided to make voyd a place for him, and y^r Lott I conceive will fall uppon m^r Duckworth (y^e rest of o^r Lancastr: men being good schollers & of complyeing Natures). He is represented to o^r bord to succeed m^r Sixesmith who indeed was forced to resign his fellowship before his yeare of grace was out 5 months. He is said to be of a morose, factious disposicon and Nature, one who has joyned himselfe to Bruen's partie, who still opposed y^e late Principall (as Doctor Greenwood can best tell you). For my part I have had little conversā^on with him (or most of y^e new fellowes) & soe cannot soe fitter characterise him unto you. When you have a mind to put in Jo. Blackburn's name, if you speak to Provost Say, or to m^r Lamplugh they will put on y^e business againe and make way for mr. Blackburn. S^r I would now trowble you with what I have formerly hinted unto you concerning Dr. Greenwood's stay in the college, and y^e ill consequence of it, but

I presume you soe well understand y^r owne Interest & concernment, y^t y^r Prudence will direct you, to doe w^t shalbe best for y^e Coll. & y^r own quiet, onlie this lett me presume to whisper unto you y^t all Men wonder at y^r easie condescension & at d^r Greenwood povertie of spiritt (to putt you to soe many inconveniences as may befall y^r going into, by hauing soe pragmaticall a spy uppon y^r Actions) in his desiring a chamber in Staple Hall, and putting out from there two fellowes of y^e Coll: to make way for him & his mistresse. I pray S^r (pardon my boldness) give me leave to ask you, what doe you conceive may be y^e doctors ayme in this? is it to save chardges (& trulie y^t is a strong argument with him) or rather to be seated in such a convenient place, y^t he may have an Eye, and an eare, to heare and see, what ever is spoken or done in y^e college, y^t soe hee, his mistresse & his Presbyterian gang may att their gossopping conventicles pass their censures uppon you, and all under y^r government. S^r every look, or action of y^{rs} or y^r Ladies shall undergoe severe censures. S^r I know y^e Nature of y^e man very well, y^e more you yield to his desires, y^e more craving he will be, till at last you will find y^r selfe, soe hampered by his devices, y^t you will not well extricate y^r selfe, out of those gynes layd for you. But I forget myselfe & you, deare S^r I beseech you construe what I have sayd on this subject in y^e best sense for (truly I professe it to you) I owe a fayre respect to doctor Greenwood, and what I have spoken is meerely out of y^e deepe sense and care I have to preserve y^e Coll. in united peace, wch is too often interrupted by dilaters, whisperors, & censurers. Once more I crave y^r pardon & rest
Y^r most affectionate faythfull serv^t.

10 Sept. 60

Jo. Houghton.

These

To y^e right wo:^{pl} Doctor
Tho: Yates Principall of
Brasen-nose College in
Oxon

B.

OATH IMPOSED UPON JUNIOR MEMBERS
OF THE COLLEGE, JULY 24, 1666
(See pp. 9-10.)

From the Vice-Principal's Register, July 24, 1666.

Cum ex aliquorum scholarium non sociorum, sive incuria, sive, quod maxime deprecandum, malitia destinata, pleraque tam in praejudicium collegii nostri, bonorumque ejusdem dispendium, quam propriae conscientiae vulnus, ac naufragium, quicumque juramento, sicut et in capite octavo libri Statutorum cautum est, jam primum ab admissione sua obstricti sunt, fieri sit compertum; ne forte ex terminis adeo paucis, iisque laxis, quales immerito tamen videatur, illi qui eo loci adhibentur, peccandi ansam dehinc etiam sibi arripiant, quibus tantilla fuerit juramenti religio; atque ne, quis sit sensus ac scopus statutorum nostrorum, quorum observatio (nisi perjuri esse velint) illis, ut quod maxime, incumbit, ipsos lateat; eorum aliquorum saltem ad quae, virtute juramenti illius, obligantur summulam exposituri, atque adeo huic morbo medicas, in quantum possimus, adhibituri manus, principalis et sex socii seniores decrevimus, quod quilibet non socius, sive in Collegium nostrum admittendus, sive jampridem admissus, cujuscunque conditionis fuerit, dummodo et quam primum per aetatem congruat, coram Vice-principali subscriptum praestabit juramentum.

Tu promittes sancteque coram Deo Optimo Maximo recipies, quod observabis omnia Statuta hujus Collegii, quatenus tibi innotuerint, et personam tuam concernant, et quantum in te fuerit, ab aliis observari facies.

Quod principali, vice-principali, et aliis tuis superioribus obedies, et debitam reverentiam impendes, in omnibus licitis et honestis.

Quod obsonatori, promo, et servientibus singulis quae accipies, ad edendum vel bibendum, juste, fideliter, et honeste dices, et narrabis.

Quod pocula, sive argentea, sive etiam testacea, item patinas, lintea, caeterumque omnem cultum ac supellectilem, cujuscunque sortis aut conditionis fuerit, etiam vel ligna ac lapides, sedilia, tabulata, parietes, fenestras, quaecunque demum sive usui, sive ornamento ubilibet adhiberi solent, ita tractabis ut quam diutissime ad hoc superesse possint, adeo ut neque tu in persona tua aliquid omnino surripies, permutabis, rades, lacerabis, deformabis, scindes, confringes, aut alio quocunque modo detruncabis, abuteris, deteres, imminues, aut sponte corrumpes, nisi quantum ex usu ordinario fieri necesse sit.

Jurabis denique quod alii cuiquam, contra aliqua eorum de quibus modo, ut supra, cautum est, quidvis perpetrandi non eris auxilio, favori, vel consilio, sed quantum in te fuerit, delinquentem vel delinquentes, quominus id faciant, impedies, ipsorumque nomina ac maleficia principali aut vice-principali, intra triduum, postquam tibi nota, vel certis de causis suspecta fuerint, denunciabis.

Ita Deus te adjuvet.

Insuper, quo melius subveniat omnibus, quorum interest, officii sui ratio: Decretum est:

Quod Vice-principalis qui pro tempore fuerit, quoties ipsum Statuta Collegii nostri apud scholares non-socios legere contigerit, hoc idem Decretum ac juramentum inter caetera recitabit.

Item quod dictus Vice-principalis exemplar hujus juramenti pulchre exarandum, et in aliquo loco publico, ita ut ab omnibus recognoscatur, singulis anni Quartis curabit de tabella appendendum.

C.

LETTERS FROM CLARENDON TO THE
VICE-CHANCELLOR ON DISPUTE
AS TO PROCTORSHIP IN 1662

DISPUTE ABOUT THE PROCTORSHIP, MAGDALEN AND
MERTON ON THE ONE PART, AND CHRIST CHURCH
AND BRASENOSE ON THE OTHER 1662

(MS. Tanner 338 foll. pp. 123-125.)

Good Mr. Vice-chancellor,

I have received yours of the 17th of this month, and do remember that when D^r Mewes was here, He told Me somewhat of the Dispute about the Proctorship, and that you would the weeke following send Me the true state of it, if you could not in the meane time reconcile all the Persons interested by their own consent; and thereupon I told Him that I would have no Opinion in it myself, whatever Representations should be made to Me, till I had the state of the Quæstion from you, and your Judgment upon it. And the Bishop of London being with me when I received your Letter, We were both of the Opinion, that We could not differ from you in the Conclusion, and I desired Him that He would be with Me the last night when the Deane of Christ's-Church and the President of Magdalen College were to be likewise present. But when We met, We found the case to be quite contrary to what We conceived it to be; The ground We laid to our selves, which We conceive was the same upon which You proceeded, was that the rule of the Cycle was punctually to be observed, and that whether the Interruption were for one, or two, or more yeares, or for the whole time of these Troubles, the order was again to be establisht and restored, onely by doing that now which the Cycle appoints to be done in this yeare 1661, what Inconvenience soever or damage fals out to particular Persons.

And thereupon finding Magdalen and Merton Colleges to choose Proctors in 1661, We conceived, as You did, that those Colleges were now to have their Turne; But We quickly found our mistake, and that the Custome from the making the Cycle was constantly at the end of the yeare to nominate the Proctors for the next yeare; so that the Nomination is to be in 1661 of the Proctors for 1662. And by that it appeares evidently that Magdalen and Merton Colleges were to have had the Proctors for 1661, but were to have nominated them at the end of 1660. And if they should now have their Proctors accepted, they should have Proctors for the yeare 1662, which is the turne of Christ-Church and Brazen-nose Colleges, and would break the Cycle so as never to come into Order again, and consequently violate the Statute. This the Ingenuity of the President of Magdalen could not deny to be the Course, and that it was the Inadvertency of Magdalen and Merton Colleges last yeare that they mist the Proctorship, which must not be repaired now at the Publique charge and damage. Christ-Church and Brazen-nose must have their Turnes for the yeare 1662 as they are appointed by the Cycle. The right thus appearing, and being in truth very manifest, the Deane of Christ-Church generously proposed and offered, that though They could not part with the Office, they would with much of the emolument, and would be very well content that Magdalen & Merton Colleges, should enjoy the Lectures, which M^r President of Magdalen seemed very kindly to accept. And that, if you think fitt, will be the justest Determination of this Affaire.

It is now high time to thank You, which I hope M^r Wren has done on my behalf before, for your and the Chapter's favour to Me concerning Clarendon; But your Respect to Me in that particular shall not turn to your Prejudice, for I will by no meanes be my own Carver in it, but will receive the Conditions from the Chapter; And therefore I have appointed M^r Hawless, who desired to be my Tenant for this Yeare, to apply himself again to the Chapter to receive the Bargain from them, and by the next Yeare it is probable I may be admitted for your Tenant upon cleare Conditions.

Dr Wallis hath not been yet with Me, nor can I say more concerning Bettrice, then that if He shall refuse still to take the Oath, he must remain still in Prison, and as many more of his Friends upon the same Terms, as You find at any time like to be dangerous to the Publique Peace. I am

Good M^r Vice-Chancellor

Your Affectionate Servante

CLARENDON C.

Worcester house

March 23^d 1661.

[The subscription and signature only are in Clarendon's hand.]

SECOND LETTER WITH REFERENCE TO DISPUTE ABOUT
THE PROCTORSHIP, MAGDALEN AND MERTON ON THE
ONE PART, AND CHRIST CHURCH AND BRASENOSE ON
THE OTHER 1662.

(MS. Tanner 338 foll. p. 125.)

M^r Vice-chancellor and Gentlemen,

I have received a letter from M^r Vice-chancellor of March 26, 1662, upon occasion of one I had writ to him March 23^d, 1661 concerning the Difference that is now between foure of your Colleges about the Proctorship this yeare; I have reviewed what I formerly wrote, the State of the Case in quæstion being the same in his last that it was in his former, and You will find by what I then wrote to Him, that I did deliberate very well upon it, and desired the assistance of my Lord Bishop of London in the Determinacion, after We had heard all that was alleged by the Deane of Christ-Church and M^r President of Magdalen. Nor do I see any cause to change the opinion I then was of. I do not dissemble to have so much esteem and kindness for Magdalen College, (which they shall never have cause to suspect) that if I could with Justice have determined it for them, I would never have made scruple of owning that my Inclination had likewise Me led to it; And I should the rather have been induced to it out of the Reverence I have to the Memorie of my poore Tutor, and to have

expiated his fault to the College by his Inadvertency last yeare that the Office belonged then to Them. But it is as cleare that it does now belong to Christ Church and Brazen-nose Colleges. And though the Intention and æquity of the Statute might be preserved by the expedient mentioned by M^r Vice-Chancellor, yet since that can not be made use of without a particular Dispensation from the King, I am more afraid of introducing those Dispensations, and of the evill consequences which may in future times succeed that Precedent, than of any Inconveniencies from the strict observing the rule of the Cycle at this time: And upon my Conscience it was the Intention of those who made the Statutes, in that mannerly Reservation of the King's Power to dispense, that he should never be moved to Dispense but in a Case of Extraordinary publique Consequence for the visible and Substantial Benefitt of the University; And this is the principall Reason that guides my Judgment against my Affection. And the Logique of the late ill times having introduced so many Inconveniencies and Mischiefs by distinguishing between the Æquity or Intention, and the Letter of the Law, I am not willing to open that doore to any Decisions in the University, which may possibly hereafter produce Dispensations very unagreable. Upon the whole matter I cannot change my Opinion, but do still believe that of right Christ-Church and Brazen-nose Colleges ought to have the Proctors for this yeare.

I am,

M^r Vice-chancellor and Gentlemen

Your very affectionate Servant

CLARENDON C.

Worcester House

March 29, 1662.

[The subscription and signature only are in Clarendon's hand.]

D.

CONSECRATION OF THE CHAPEL

NOV. 17, 1666

NOTE

THE first Chapel of the College is still in existence, but now used as the Senior Common Room. At the door of the staircase leading to it is the Foundation Stone of the College. By the time of the Civil War a scheme had already been set on foot for a larger Chapel, the moving spirit and chief benefactor being Dr. Samuel Radcliffe the Principal. After his death in 1648 his successor, Dr. Thomas Yate, carried the plan through, the first stone being laid on June 26, 1656, and the consecration of the new building taking place on Nov. 17, 1666. The ceiling of the Chapel with its fine fan tracery, which was taken from the chapel of St. Mary's College (now Frewin Hall), is still a conspicuous ornament of the building. The Cloister, now turned into College rooms, was erected at the same time and consecrated as a burial place on the same day as the Chapel itself, Dr. Walter Blandford, Bishop of Oxford, taking the chief part in the service.

The service is fortunately recorded in two forms, the first (marked by A in the following pages) being the official account drawn up by John Price, Notary Public, in legal form for perpetual record. The text of this was published in 1905 in *Collectanea iv* (Oxf. Hist. Soc. xlvii) from the original in the College Archives. The second account, printed here in parallel columns with the first, and marked B, is from Thomas Abingdon's *Antiquities of the Cathedral Church of Worcester* (Lond. 1723 or 1728), in an Appendix of Original Papers at p. 192. Dr. Blandford was translated to Worcester in 1671, and is stated in the above work to have made the Form of Consecration himself. No doubt B was found among the Bishop's papers after his death in 1675. This second form preserves several of the special prayers read after the Litany and during the Communion Service, the two forms together supplying the whole service with the exception of the Sermon.

For convenience of reference and comparison the two forms have been divided into thirty-two sections, some of which are found only in one or other of the two accounts.

F. M.

NOTE ON THE CONSECRATION-ORDER

I have been asked to indicate, in as few words as possible, the sources of the liturgical forms used in the accompanying consecration-order.

William Barlow, Bishop of Rochester and Lincoln (*d.* 1613), used two orders, very much akin, for the consecration of chapels at Langley and at Hatfield. Both are still in manuscript: Langley (1607) in Bodl. MS., Rawl. C. 868; and Hatfield (1610) at Lambeth, in the Archbishop's Library, MS. 929. fo. 86. I speak of these two as *Langley*.

With some of these forms we may compare certain in the consecration-order of Lancelot Andrewes, Bishop of Winchester (*d.* 1626), used at the hallowing of Jesus Chapel, near Southampton in 1620 (printed at London in 1659).

§ v. I was glad: *Langley*.

§ viii. Most glorious and incomprehensible: *Langley*.

§ x. Blessed Father: in Latin, in consecration of Peter-house Chapel, Cambridge, 1632. Wharton MS., Lambeth MS. 577. fo. 193. In English in Juxon's form, before 1663, Bodleian, Tanner MS. 372.

§ xvii. Most merciful Father: St. Olave, Silver Street, 1612. Grindal's Register, fo. 393.

§ xxii. The lessons, not the psalms, are from *Langley*. The psalms are those used at hallowing the chapel at Edmonton, 1615. Grindal's Register, fo. 401.

§ xxiii. Almighty God, who dwellest not in Temples: *Langley*.

§ xxv. Most Blessed Saviour, who by thy bodily presence: *Langley*.

§ xxvi. Epistle and Gospel: *Langley*.

§ xxix. Blessed be thy Name: the first words are in *Langley*; but these are followed by an allusion to the great Rebellion and Restoration, and thus this part is much later.

J. WICKHAM LEGG.

A

CONSECRATION OF BRASENOSE
COLLEGE CHAPEL, 1666

In Dei nomine Amen. Per praesens publicum Instrumen- i
tum cuilibet evidenter appareat Quod inter horas Octavam et
Duodecimam antemeridianas diei Sabbati videlicet Decimi
Septimi Novembris Anno Domini Millesimo Sexcen-
tesimo Sexagesimo Sexto Regnique Illustrissimi in
Christo Principis et Domini nostri Domini Caroli Secundi
Dei gratiâ Angliae Scotiae Franciae et Hiberniae Regis,
Fidei Defensoris etc. Decimo Octavo (praesente me Joanne
Price Notario Publico) Reverendus in Christo Pater et
Dominus Dominus Gualterus permissione Divinâ Oxoniensis
Episcopus (comitantibus eum Domino Vicecancellario Uni-
versitatis Oxoniensis et paenè omnium Collegiorum et
Aularum Praefectis, habitu coccineo indutis, eumque ab
Hospitio suo infra Collegium Aedis Christi, deducentibus)
ad Aulam Regiam et Collegium de Brasenose, sollemni
more progrediebatur.

Ad cujus Collegij introitum (post Orationes elegantes tum ii
à Principale tum à Stephano Phillips Socio dicti Collegij
habitas) eidem Reverendo Patri Peticionem in Scriptis, sigil-
loque Communi ejusdem Collegij communitam, omni quâ
decurrit observantiâ presentavit et tradidit ipse Principalis,
humiliterque supplicavit ut juxta tenorem ejusdem procedere
dignaretur. Quam Peticionem Dominus Episcopus summo
candore acceptavit, mihique Joanni Price ad perlegendum
mandavit. Cujus quidem tenor sequitur et est talis,

Reverende admodum in Christo Pater Nos Thomas Yate iii
Sanctae Theologiae Professor Principalis Aulae Regiae et ^{Petition.}
Collegij de Brasenose in Universitate Oxoniensi et Scholares
ejusdem, Cum praeparavimus locum pro cultu et Veneratione
Divinae Majestatis priori quem habuimus magis idoneum et
convenientem Cumque eundem locum religiosis duntaxat
usibus integrè destinavimus, gloriae scilicet Dei et Animarum

A

Saluti, Nunc Dominacionem vestram omnes simul humiliter obsecramus, utpote Dei Ministrum Episcopum hujusque Diaeceseos Ordinarium, ut Dei omnipotentis nomine et loco, hanc voluntariam nostram oblacionem acceptare dignemini, utque hoc Sacellum ab omnibus communibus et profanis usibus separatum decernatis, et actu separetis, ut Verbo Dei precibus alijsque Spiritualibus et religiosis officijs, Sacrosancto Dei nomini, ejusque tantummodo cultui dedicare et consecrare velitis. Promittimus insuper tam nostro quam Successorum nostrorum nomine, (quantum possimus et in nobis est) quod ipsum semper ut locum Sanctum, et ut Dei Domum tenebimus, eoque modo utemur; Et prorsus abrenunciamus et abnuimus ipsum vel ejus quamvis partem, communi vel profano usui qualicunque deputare; Curabimus etiam de tempore in tempus semper deinceps, quotiescunque opus fuerit, ut convenienter reparetur, et honestè prout Sacellum decet adornetur.

iv Insuper etiam supplicamus ut Dominatio vestra, Claustrum eidem Capello adjacens in Coemiterium sive locum Sepulturae corporum in dicto Collegio post hàc morientium, separare et consecrare dignetur.

In cujus rei testimonium sigillum nostrum Commune praesentibus apposuimus Datis Die Novembris Decimo Septimo Anno Domini 1666°.

v Huic Petitioni cum Reverendus Pater Latinis verbis breviter respondisset, seque et suam operam ad tam pium opus promovendum simul et proficiendum paratissimum esse professus esset, paulatim gradum promovens ad portam Capellae, intravit cum Clero hunc Hymnum recitans,

I was glad when they said unto me, We will go into the house of the Lord: Peace be within these walls, and prosperity within these dores. Because thou art a house for the Lord our God, we will seeke to doe thee good,

vi Stante interea prae foribus universâ populi multitudine: tunc incepit Psalmum 24^m Clero alternatim respondente.

B

[From Abingdon's *Antiquities of Worcester*, p. 192.]

THE FORM OF PRAYER USED IN THE YEAR 1666,
AT THE CONSECRATION OF BRAZEN - NOSE COLLEGE-
CHAPEL IN OXFORD, WITH THE CLOISTER ADJOYNING
FOR A BURIAL-PLACE, BY THE LATE REVEREND FATHER
IN GOD WALTER BLANDFORD LORD BISHOP OF OXFORD,
AFTERWARDS BISHOP OF WORCESTER.

¶ *The Bishop entring the Door of the Outer Chapel* v
(none being in it) said this Hymn.

I was glad, when they said unto me, We will go into the
House of the Lord.

Peace be within these Walls, and Prosperity within these
Doors.

Because thou art a House for the Lord our God, we
will seek to do thee good.

¶ Then was read the 24th Psalm by the Bishop, in vi
the Body of the Outer Chapel, the Clergy answering
alternately.

A

vii *Postea vero processit ad limen interioris Capellae, ubi genibus flexis sic precatus est,*

Prayers.

viii

Most glorious and incomprehensible Lord God who fillest heaven and earth with thy presence, and therefore cannot be confin'd within any the largest Circuit, much lesse within this narrow roome for the Consecration whereof we are now assembled: yet forasmuch as thou hast promised, that where two or three are gathered together in thy name, thou wilt be there in the midst of them, but especially in such places as are set apart for thy publike worship, that thou wilt be there in a more speciall manner, and wilt come unto Us and blesse us;

We following the pious examples of thy servants in all ages, who have erected and dedicated houses for thy service, doe here in all humility and readines of heart devote and offer this Place, this day for ever unto thee, and utterly separating it from all profane and common uses, doe desire to consecrate it to thy service only, for hearing thy word, celebrating thy sacraments and offering up the Sacrifices both of Prayer and Thanks-giving, as also for the custody of the bodies of thy servants that shall depart this life, till thou shalt raise them up again at the last day.

And although (miserable wretches that we are) we be altogether unworthy to appoint any earthly thinge to soe great a Majesty, and I the most unfitt of all thy Ministers to appeare before thee in soe honorable a service: yet we most humbly beseech thee to forget and forgive our manifold sins, to receive us favourably in this religious action, and graciously to accept this Place, at our hands and to own it for thy house. And because holinesse becometh thine house for ever, sanctify it, we pray thee, with thy presence.

Arise and come into this Place of thy rest, thou and the Arke of thy strength and fill it with thy glory.

Sanctify likewise all those who shall at any time doe thee service in it.

Let thy Priests be cloathed with righteousness, and let thy saints sing with joyfullness.

B

And then at the Door of the Inner Chapel, kneeling, v
with his Face towards the Communion-Table, the Bishop
prayed in the following manner.

Most glorious and incomprehensible Lord God, who fillest viii
Heaven and Earth with thy Presence, and therefore canst not
be confined within any, the largest circuit, much less within
this narrow Room, for the Consecration whereof we are now
assembled: Yet forasmuch as thou hast promised, that when
two or three are gathered together in thy Name, thou wilt be
there in the midst of them, but especially in such places as are
set apart for thy Publick Worship, that thou wilt be present
there in a more special Manner, and wilt come unto us and
bless us: We, following the pious Examples of thy Servants
in all Ages (who have erected and dedicated Houses for thy
Service,) do here in all Humility and with Readiness of Heart,
devote and offer up this Place, this Day, for ever unto thee:
and, utterly separating it from all prophane and common
Uses, do desire to consecrate it to thy Service only, for hear-
ing thy Word, celebrating thy Sacraments, and offering up
the Sacrifices both of Prayer and Thanksgiving, as also for the
Custody of the Bodies of thy Servants, that shall depart this
Life, till thou shalt raise them up again at the Last Day.
And although (miserable Wretches as we are) we be altogether
unworthy to appoint any thing to so great a Majesty, and
I, the most unfit of all thy Ministers, to appear before thee, in
so honourable a Service; yet, we most humbly beseech thee to
forget and forgive our manifold Sins, to receive us favourably
in this Religious Action, and graciously to accept this Place
at our Hands, and to own it for thy House; and, because
Holiness becometh thy House for ever, sanctify it, we pray
thee, with thy Presence: Arise and come into this Place of thy
Rest, Thou and the Ark of thy Strength, and fill it with thy
Glory. Sanctify likewise all those who at any time shall do
Thee Service in it. Let thy Priests be cloathed with Righteous-
ness and let thy Saints sing with Joyfulness: Let all, that shall
enter here, know that the Place, where they stand, is Holy

A

Let all that shall enter here, knowing that the Place where they stand is holy ground, looke well to their feet, bringing cleane hearts, pure thoughts and bodies undefiled.

Let them wash their hands in Innocency, Good Lord, and then let them compasse thine Altar, that so coming such as y^e ought, they may returne such as they desire, having their Prayers granted, their sins pardon'd, their graces supplied and strengthened, and their persons accepted in Jesus Christ, to whom with thee o Father and the Holy Ghost, Trinity in Unity ever to be ador'd, be all honour and glory, world without end. Amen.

ix Quâ precatiunculâ finitâ ad gradum ante Sacram Mensam
x infimum procedens aliam effudit Surgensque haec verba pronuntiavit,

xi God the Father, God the Son, and God the Holy Ghost, accept, blesse and sanctify this Place, to the end whereunto according to his owne ordinance we have ordained it, to be a Sanctuary to the most High, and a Church to the Living God.

The Lord with his favour ever mercifully behold it, and so send upon it his spirituall Benediction and grace, that it may be the house of God to him, and the gate of heaven to Us. Amen.

B

Ground, look well to their Feet, bring clean Hearts, pure Thoughts, and Bodies undefiled. Let them wash their Hands in Innocency (Good Lord) and then let them compass thine Altar, that they, coming such as they ought, they may return such as they desire, having their Prayers granted, their Sins pardoned, their Graces supplied and strengthened, and their Persons accepted in Jesus Christ, to whom with thee, O Father, and thee Holy Ghost, Trinity in Unity, ever to be adored, be all Honour and Glory, World without end. Amen.

¶ Then the Bishop entring into the Inner Chapel, with the Clergy present (the People remaining in the Outer Chapel) and kneeling near the Rail of the Communion-Table, he said these Prayers. ix

Blessed Father, who hath promised in thy Holy Law, that in every Place, where thy Holy Name shall be put, thou will come unto us and bless us. According to that thy Promise, come unto us and bless us, who put now upon this Place the Memorial of thy Name, by dedicating it wholly and only to thy Service and Worship. Blessed Saviour, who in the Gospel, with thy Bodily Presence, didst Honour, and adorn the Feast of the Dedication of the Temple ; at this Dedication of this Temple unto thee, be present also, and accept Good Lord, and prosper the Work of our Hands. x

Blessed Spirit, by whose Power, Wisdom, and Love, all things are purged, lightened, and made perfect ; Enable us by thy Power, enlighten us with thy Truth, perfect us with thy Grace, that both here and elsewhere, acknowledging the Glory of thy Eternal Trinity, and in the Power of the Divine Majesty, worshipping the Unity, we may attain to the Fruition of thy glorious Godhead.

God the Father, God the Son, and God the Holy Ghost, accept, bless, and sanctify this Place, to the End whereunto, according to his own Ordinance, we have ordained it, to be a Sanctuary to the most High, a Church to the Living God : The Lord with his Favour ever mercifully behold it, and send upon it his Spiritual Benediction and Grace, that it may be the House of God, and the Gate of Heaven to us. Amen. xi

A

- xii Post haec (Domino Vicecancellario et Doctoribus unà con-
 sedentibus, Populoque Capellam intrantibus) Dominus Epi-
 scopus in solio, sive Cathedrâ in superiori parte Sacelli satis
 commodè posito collocatus, pileoque tectus (assidentibus
 venerabilibus viris Domino Thomâ Barlow Archidiacono, et
 Doctore Deane, Cancellarij Domini Episcopi Deputato) Sen-
 tentiam sive schedulam Dedicationis Capellae, porrectam ei a
 dicto Doctore Deane legit in haec verba,

Dedication
 of Chapel.
 xiv

In Dei nomine Amen.

Nos Gualterus providentiâ Divinâ Oxoniensis Episcopus
 Piae et Religiosae Petitioni Dilectorum in Christo Filiorum
 Thomae Yate Sanctae Theologiae Professoris Principalis
 Aulae Regiae et Collegij de Brasenose in Universitate
 Oxoniensi et Scholarium ejusdem, favorabiliter annuere
 volentes, hanc Capellam proprijs praedictorum Sumptibus
 noviter erectam constructam et ornatam, autoritate nostra
 Episcopali, ab omni communi et profano usu in perpetuum
 separamus, et soli Divino cultui, ac Divinorum celebrationi in
 perpetuum dicamus, ac tam ad Sacramenta et Sacramentalia
 in eâdem ministranda, quam ad Divinas preces Deo fundendas,
 et verbum Dei purè et sincerè proponendum et praedicandum,
 ac demortuos inhumandos et sepeliendos, atque ad omnia et
 singula alia sacra et divina perficienda, quae de jure Divino,
 ac etiam legibus Sanctionibus et constitutionibus Ecclesiae
 Nostrae Anglicanae in eâ parte sunt requisita et necessaria, ac
 si sigillatim essent in praesentibus specificata, modo et formâ
 in Similibus, jam de jure usitatis et usitandis, in Dei honorem
 et Sacros usus omnium in dicto Collegio degentium (quantum
 in Nobis est, et de Jure Divino, Canonibus Ecclesiae et
 Statutis hujus incltyti Regni Angliae possumus, et Nobis licet)
 consecramus et dedicamus per nomen Capellae Sancti Hugonis
 et Ceddae Aulae Regiae et Collegij de Brasenose in Univer-
 sitate Oxoniensi, et sic consecratam et dedicatam esse, et in
 futuris perpetuis temporibus remanere debere, palàm, ac
 publicè pronuntiamus et decernimus per praesentes In nomine
 Patris Filij et Spiritus Sancti Amen. Lectaeque nomen suum
 subscripsit.

B

¶ After this Prayer, the People enter'd into the Inner Chapel, and there took their Places. xii

¶ Then the Bishop sitting on a Chair (with two Assessors, on each side one) having his Cap on, read the Schedule or Instrument, and then pronounced the Decree of Consecration. xiii
xiv

¶ This done, the Bishop and Clergy going into the Cloisters, and walking in solemn Procession round the Place, he repeated the 90th. Psalm, the Clergy answering alternately. xv

¶ Then making a stand at the East or Inner Part, the Bishop's Chaplain read for the Lesson, Genesis 23 Chapt. xvi

¶ Then all kneeling, the Bishop said this Prayer. xvii

Most merciful Father, thou hast been pleased to teach us in thy Holy Word, that the very Bodies of thy faithful Servants are not made in vain, but living and dying have their special Uses appointed by thy self: Thou hast framed them here on Earth to be the Workmanship of thy Hands, and to sound out thy Glory. Thou hast fashioned them unto the Shape of thine own Son, that by a Spiritual Union, they should be Flesh of his Flesh, and Bone of his Bone. Thou hast made them the Temples of the Holy-Ghost, that thy sacred Spirit may more and more work in them those things, which by thy Mercy are acceptable in thy Sight: And when they are to rest with their Fathers, and to return to the Earth from whence they were taken, thou hast appointed them not to remain there for ever in Corruption, but at the Day of the general Resurrection to come forth of their Graves, and to be possessed with Life, and to be crowned with Immortality. We cannot therefore but judge, as well by that which thy blessed Word hath rehearsed unto us, as also by the Example of Patriarchs and Holy Men in all Ages, that it is thy gracious Pleasure, that when thy Servants shall by thee be called out of this miserable World, their Bodies should not be left out, as the Bodies of Beasts, to become Dung for the Earth, nor yet buried with the Burial of an Asse in the open Fields; but be seemly and decently committed to the Earth in a religious

A

- xv Deinde ad Claustum sive locum Sepulturae cum toto Comitatu superius descripto, deducitur, ubi postquam circa totius loci ambitum more satis decoro, Psalmum Nonogesimum
- xvi decantans, obambulasset (post Lectionem 23. Cap. Gen. et
- xvii, xviii quasdam Praecationes) consedit, et aliam schedulam, sententiam Consecrationis Coemiterij continentem a Doctore Deane antedicto sibi traditam, publicè etiam perlegit in hanc formam,

Dedication
of Cloister.

In Dei nomine Amen.

- xix Nos Gualterus providentiâ Divinâ Oxoniensis Episcopus Piae et religiosae Petitioni dilectorum in Christo Filiorum Thomae Yate Sanctae Theologiae Professoris Principalis Aulae Regiae et Collegij de Brasenose in Universitate Oxoniensi et Scholarium ejusdem, favorabiliter annuere volentes, hoc integrum Claustum Capellae Collegij praefati adjacens,

â pristinis et alijs quibusdam usibus communibus et profanis separandum fore decernimus, et sic in perpetuum separamus: ac idem in Coemiterium sive locum Sepulturae pro corporibus in dicto Collegio decedentium Christiano ritu humandis, (quantum in Nobis est, ac de jure et Canonibus Ecclesiasticis, ac de statutis hujus regni Angliae possumus) autoritate nostrâ Ordinariâ et Episcopali assignamus, ac per nomen Coemeterij Capellae Sancti Hugonis et Ceddae designamus, dedicamus et in usum praedictum consecramus, Et sic assignatum dedicatum et consecratum fuisse et esse, et in futuris perpetuis temporibus remanere debere, palam et publicè declaramus et pronuntiamus, ac Coemiterium Capellae Sancti Hugonis et Ceddae deinceps in perpetuum nuncupandum decernimus per praesentes In nomine Patris Filij et Spiritus Sancti, Amen.

- xx Eandemque suo nomine subscripsit, et cum sententiâ Consecrationis Capellae, eidem Doctori Deane sibi ad latus adstanti, commisit, atque ut inter munimenta ac alia recorda in Archivis suis custodienda reponerentur, indeque acta conficerentur in perpetuam rei memoriam mandavit.

B

Manner, and in a separate distinct Place, there to rest in the Sleep of Peace, till the last Trump shall arouse them. And having for that Purpose made choice of this Place, that it may be (as the Plain of Mamre) a Receptacle and Storehouse for the Bodies of such as thou shalt ordain to be interred here: We beseech thee to accept of this Work of ours in shewing kindness to the Dead; and mercifully grant that neither they, who shall be here gathered to their Fathers, nor any of us, who are here present, may ever forget the Day of putting off the Tabernacle of this Flesh; but that living, we may think on Death; and dying, we may apprehend Life; and so rising from the Death of Sin to the Life of Grace here, (which is the first Resurrection,) we may have our Parts in the second, which is the Resurrection to Glory, through thy Mercy, O most Gracious Lord God, who governest all things, World without end. Amen.

¶ Then standing up, the Bishop said thus :

God the Father, who killest and makest alive, who bringeth down to the Grave, and raiseth up again. God the Son, who is the Resurrection and the Life, in whom whosoever believeth, though he were dead, yet shall he live, who will send his Angels at the last Day, and gather the Bodies of his Elect from all the Ends of the Earth. God the Holy Ghost who hath made our Bodies his Temples, by his sanctifying Grace dwelling in them, and therefore will not suffer them to lie for ever in Corruption, but will breathe even upon dry Bones, and they shall live. God the Father, God the Son, and God the Holy Ghost, accept, sanctifie and bless this Place, to that end whereunto, according to his own Ordinance, we have ordained it, even to bestow the Bodies of his Servants in, till (the Number of his Elect being accomplished) they with us, and we with them, and all others departed in the true Faith of his Holy Name, shall have our Consummation and Bliss, both in Body and Soul, in his eternal and everlasting Glory.

xviii

¶ Then the Bishop sitting in his Chair (with his Assessors, and his Cap on his Head) he read the Schedule, and so pronounced the Decree of Consecration.

xix

A

xxi Quibus ita peractis, Dominus Episcopus ad Sacram Mensam rediens, manumque sacris utensilibus imponens, haec verba sequentia vel eis similia publice protulit videlicet

What is here offered and consecrated to God Let no man profane.

xxii Sequutae sunt dein Publicae Preces (Domino Doctore Yate Collegij Principale ministrante) cum Psalmis et Lectionibus pro tempore accom[m]odis, et ad finem Litaniae quandam precationis formulam addidit Episcopus, processitque ad

xxiii

xxiv

Caenae Dominicae administracionem.

xxvi

Epistolam Domini Episcopi Capellanus, Sacrosanctumque Evangelium Archi-Diaconus legit.

xxvii

Post Symbolum Nicenum (Episcopo ad Cathedram reverte-
tente) Radulphus Rawson Sanctae Theologiae Baccalaureus Collegijque Socius Suggestum ascendens Thema desumpsit e
Capite Vicesimo Exod: versu 24°.

Sermon.

xxviii

Finitâ Concione recitabat Dominus Episcopus Sententias illas hortatorias ad Eleemosynas, dum Communicaturi obtulerunt Collecta est Summa Undecim Librarum et Duodecim solidorum, quam in usum Capellae expendendam decrevit. Finito tandem Hymno Gloria in Excelsis etc. conclusit cum precatione selectâ, et populum benedictione dimisit. Acta fuerunt haec omnia et singula praemissa sub modo et formâ superiùs annotatis dicto Decimo Septimo die Novembris Anno Domini, Regnique Regis antementionatis.

xxix, xxx

xxxi

Et Nos Gualterus providentiâ Divinâ Oxoniensis Episcopus antedictus in majorem fidem et testimonium praemissorum omnium et singulorum huic praesenti Instrumento subscripsimus Illudque Sigilli Nostri Episcopalis appensione communiri fecimus et mandavimus.

Datum apud Oxoniam Tertio die mensis Decembris Anno Domini Millesimo Sexcentesimo Sexagesimo Sexto Et nostrae Consecrationis Anno Secundo.

xxxii

Et Ego Joannes Price Publicus autoritate sufficiente Notarius, atque in praesenti Consecracionis negotio in Actorum Scribam assumptus, Quia in praemissorum toto processu praesens personaliter interfui, Eaque omnia et sin-

B

¶ This done, [the Bishop with the Clergy, returning into the Chapel, the Ordinary Prayers were said according to the Book of Common-Prayer; only instead of the Psalms, proper for the Day, these

xxii

Psalms {	84	I Lesson	2 Chronic. 6
	122	II Lesson	John 10 beg. at Ver. 22 to the End :
	132		

¶ After the Litany, this Prayer was said by the Bishop.

xxiii

Almighty God, who dwellest not in Temples, made with Hands (as saith the Prophet) and yet vouchsafest to accept the devoted Service of thy poor Creatures, allotting special Places for Divine Offices, promising ever there to hear and grant their Requests; We humbly beseech thee to accept our this Day's Duty and Service of dedicating this Chapel to thy great and dreadful Name. And fulfill, we pray thee, thy gracious Promises, that whatsoever Prayers in this sacred Place shall be made according to thy Will, may be favourably accepted, and returned with their desir'd Success, that so all, that come into this House, in the Multitude of thy Mercies, and in thy Fear, shall worship in this Holy Temple, may, by the heavenly Intercourse of their Prayers, ascending unto thee, and thy Blessings descending upon them, have a comfortable Experience, that this is none other but the House of God, and that this is the Gate of Heaven, to thine eternal Glory, and our especial Comfort in Christ Jesus our Blessed Lord and Saviour. Amen.

¶ The Litany so ended, they proceeded to the Communion-Service, which the Bishop performed; and after the Prayer for the King this was used :

xxiv

Most Blessed Saviour, who by thy Bodily Presence, at the Feast of Dedication, didst approve and honour such devout and religious Services, as this we have now performed; Be pleased to present thy self at this time by thy Holy Spirit; and as thou hast been pleased to separate this Place, to consecrate us also, we pray thee, into an Holy Temple unto thy self, that thou dwelling in our Hearts by Faith, we may be cleansed from all carnal and prophane Affections, and devoutly

xxv

A

gula sic fieri, vidi, scivi et audivi, Ideo hoc praesens publicum Instrumentum manu meâ propriâ fideliter scriptum, de mandato Reverendi Patris praedicti exinde confeci, publicavi, et in hanc formam redegi, Nomineque et Subscriptione meis solitis et consuetis subsignavi, ad id rogatus specialiter et requisitus.

[*Signed*] Gualt: Oxon.

[*Seal attached to the document.*]

[*Endorsed*] 17^o Novembris 1666 Caroli 2ⁱ 18^o. Acta Consecrationis sive Dedicationis Capellae adjacentis in Coemiterium sive Locum Sepulturae infra Collegium de Brasenose Oxon.

B

given to serve thee in all good Works, to the Glory of thy Name, who livest and reignest with the Father and the Holy Spirit, one God, World without End. Amen.

¶ Then one of the Clergy read the Epistle 1 Cor. 3. ver. 16. to the End. Another the Gospel. John 2 Chap. 13. ver. to the End. xxvi

¶ Then followed the Nicene Creed and Sermon, afterwards the Communion. xxvii

¶ After the Hymn (Glory be to God on High) this Prayer. xxix

Blessed be thy Name, O Lord our God, for that it pleaseth thee, who dwellest in the Highest Heavens, to have thy Habitation amongst Men, and to grace these Earthly Mansions with thy Presence. And blessed be thy gracious Goodness, that thou hast put it into the Hearts of thy gracious Servants in all Ages (and particularly of these of this College) to erect and prepare such Places for thee. As also thou hast given us again quiet and peaceable Times to meet and adore thee in them; that after the Enemy had prophaned thy Service, and done evil in thy Sanctuary, thou hast restored unto us our solemn Assemblies, and brought us back into thy Courts to praise thee. Lord, grant that we may shew our selves thankful for these thy Favours, by a reverend, devout, and constant Use of them. Let us not forsake the publick Assemblies (as the manner of some is;) but grant, that even they who now separate into Corners, may come and worship thee in the Beauty of Holiness, that they may love the Habitation of thy House, and the Place where thine Honour dwelleth, esteeming one Day in thy Courts better than a thousand; that so all of us with one Heart, and one Breath, glorifying thee in these material Temples made with Hands, we may in the End, come to that thy Temple on high, even to the Holy Place made without Hands, whose Builder and Maker is God, and there, with these who have erected this, and all other Places to thy Worship, and with all thy Saints, eternally to Sing, Honour, and Glory, and Praise be unto the Lamb, and him that sitteth on the Throne, for ever and ever. Amen.

¶ After this, the Bishop pronounced the Benediction. xxx

E

LETTERS OF JAMES HAMER

Transcript of five letters and three accounts in the possession of Captain Stewart, of Alltyrolyn, Llandyssil, South Wales, made by Miss E. G. Parker, December, 1907.

I

Mr. Moore

I suppose by this time you have resolved, how to dispose of yo^r Brother, at yo^r departure from Oxon you intended to send for him vp to London about three weekes after that time: And this last weeke I thought, y^t you had sent for him, for hee asked leave of mee to goe out of towne to meet you at Reading, whither I suppose hee went. S^r I thinke his stay here cannot be so beneficiall to him, as his remoueall may bee, and therefore y^e sooner you dispose of him, it may be y^e better for him, I have no more at p^rsent to trouble you wth, onely wth my respects and service p^rsented I remaine.

Yo^{rs}

In all true respects of service

Brasen-nose Coll.

Ja: Hamer.

Aug 6th 1670.

[*Addressed*.:—] These. | To Edward Moore Esq; at Mr |
Thomas Sturmy his chamber in | S^t Clemens-Inne. |
London | p^rsent | wth my service. |

[*Sealed*]

II

August. 20. 1670.

Mr. Moore

I rec^d yo^r letter and a Bill of 15l. enclosed, w^{ch} I did not expect, hoping rather, y^t upon y^e true Account, w^{ch} I have given to yo^r Brother, you would have remoued him, and found out some other way of liueing, for w^{ch} hee may haue a better Genius, and w^{ch} may prove more beneficiall vnto him: S^r for my part I wonder, that you should now designe him to take a degree, when not only hee himself hath hinted to you, but I have plainly told you, y^t by reason of his naturall p^{ts} hee is not fitt for those studies, w^{ch} should fitt him for a Degree: and yet hee is not to be blamed for this incapacity, for though morall defects are justly blameable, because they are in o^r power either not to bee, or to bee cured, yet y^e wants of a quicke apprehension, solid judgement, and faithfull memory are not so culpable, for all y^e care and industry in y^e world cannot procure some of those, And I verely belieue, y^t one in his circumstances may very well vnderstand to manage y^e affaires of y^e world, when yet hee shall neuer bee able, to make a philosopher, and therefore had better and wth more successe follow what his Genius inclines him too, then goe about to force nature aboue her capacity. Of his journey to Reading I can giue noe true account, but haue desired him to giue it to you, w^{ch} I hope hee will doe. And if y^e Account bee not satisfactory, I hope yo^r charity is greater both as a man, a brother, and a Xtian, then to discard yo^r onely brother for one offence or two: I perceiue hee is much troubled at yo^r letter, and promises neuer to offend in y^e like case, and as wee expect pardon from God for o^r many and great offences against him, so we are to forgive them, y^t trespasse ag^t vs. S^r I dare not be so bold as to direct you, how to dispose of yo^r brother, but I can say, y^t I would not willingly keepe any Schollar, who will not, or cannot profit vnder mee: I have dealt more plainely perhaps wth you, than some others would have done, but I doe it on purpose to

discharge my conscience, and if I haue offended, I know yo^r
goodnesse will pardon. So in hast I remaine

Yo^{rs} to comand

J. Hamer.

[*Addressed*] These | To Edward Moore Esqr at Captaine |
John Ardernes house in Ragged-staffe Court | in Great
Drury-Lane. | London. | p^rsent | wth my service.

[*Sealed*]

III

7^{ber} 10th 1670.

Mr. Moore

The Q^{rter} is now drawing towards an end, and I hope, y^t after so long consideration, you are now come to a resolution, how to dispose of yo^r Brother: The truth is I found him at his entrance so ill grounded in Grammer learneing, and so naturally incapacitated for a Schollar, that I had neuer entertained him, but y^t I was told, his stay at Oxon was to bee but short, and y^e design of it was to furnish him wth a little Logicke y^e better to fitt him for y^e study of Law; I have done my endeaouour to instruct him in such studies, and if y^e successe hath not answer'd my endeaouours, perhaps neither I nor hee are to bee blamed, supposeing, y^t wee both have done y^e best, y^t wee could doe: I haue since wthin twelve months time written to you my opinion of yo^r Brother, wthall signifieing, how convenient to you both, his remoueall would bee, and how little advantage his abode here would bring to him, and accordingly you have by letter signified to mee, y^t you intended to remoue him this last spring, and since by word of mouth you promised to take him away. But by yo^r last letters I perceiue you rather now intend his continuation here, w^{ch} though it might bee for my profitt, yet being y^t I am throughly convinced y^t it cannot bee for his, I am so much against his continuance, that I had rather lose my litle profitt, then my labour and paines: And therefore humbly request, y^t you

would dispose of yo^r Brother for his better advantage by takeing him from hence, if not so, you may try anothers tuition, w^{ch} I pray to proue more successfull: S^r I do not write this to putt you out of conceit wth yo^r Brother, I had rather lose my hand, then doe it, but I thinke, y^t his intellectualls are not for these studies, and yet would serue very well for a trade, or some other profession, and as for his morals, if a strict eye bee ouer him, I hope they may bee good, for I know many may bee led away, where there is no power to restraine: who yet may do well vnder strict gouernment: pardon this trouble, and freedome, and grant me a writ of ease from my charge: And so I shall remaine

Yo^r

Ever oblig'd ffriend to
serue you.

Ja. Hamer.

[*Addressed*] These | To Edward Moore Esq; to bee | left
at Captaine John Arderne | his house in Ragged-staffe-
Court | in great Drury-Lane | London.

[*Sealed*]

IV

Brasen-nose Coll. Sept 25 1670.

Mr. Moore

I haue according to yo^r order taken care for yo^r Brothers comeing vp to London, I haue payd ten shillings coach hire for a place in y^e next Tuesdays coach, so y^t on Michaelmas Eue at y^e Saracens head vpon Snow-hill you may hear of yo^r Brother, and y^t night also y^e Waggon will bring his Trunke to y^e same place, in w^{ch} his Books and cloaths are corded vp: I see none of his books wanting, except one or two, w^{ch} hee had lent out, and those, hee sayes, are returned to him. Or Accounts I will dispatch to send by him, if possible, if not, you shall receiue them by y^e next Post, and what money I haue of yo^{rs} shall be returned punctually by Bill of Exchange.

As for y^e Questions, w^{ch} you proposed, I thinke myself noe competent judge to answer and resolute all of them, howeuer I will giue you what satisfaction I can in some, and first as for y^e Study of y^e Law, I fear his judgment is not quicke and solid enough to master it, for his apprehension is not so p^rsent and quicke, nor his tongue so voluble, as is required in a good Orator in y^t profession, but as for his skill in Latine, I thinke hee hath enough of that, for y^e drawing, answering, and vnderstanding such pleadings as are in y^t language, w^{ch} an ordinary latinist may doe, if hee vnderstand y^e comon formes of Lawyers latin, and his skill in law is more required in speciall pleadings: howeuer I doe still advise him to read Erasmus Colloquies, or any other such books, whether history or Dialogues, w^{ch} may improue his skill in vnderstanding, or speaking that language: and this will bee of excellent vse to him, if hee should trauell. As for his being giuen to bad Company I cannot wholly excuse him, because I haue found him sometimes drawne aside, but yet I neuer saw him in drinke, and I would advise you to putt him, where some one may haue a strict eye ouer him, because hee is of a facile nature, and so y^e easilier drawne aside. S^r if you let him chuse his owne trade or profession, I thinke it may bee y^e best for him, for hee is now of age enough to know his owne concerne, and after such deliberate choise if hee miscarry, y^e fault may lye at his owne doore.

S^r I hope you will second what advise I haue giuen him, and I hope god will direct him to chuse y^e best, and forsake y^e worst: to this end my prayers and well-wishes shall not bee wanting. thus wth my service p^rsented I remaine.

Yo^r

Most humble Servant,

J. Hamer.

[*Addressed*] These | To Edward Moore Esq; to bee left | at
Mr Thomas Sturmy his Chamber | in S^t Clemens Inne. |
London | wth care and speed.

[*Sealed*]

V

M^r Moore

I have here sent yo^r Brothers last Accounts, and generall Acquittances from Mercer, Taylor, and Bookseller: The Accounts I have putt in y^e next leafe, and deductis deducendis there remaind due to you ten pounds eleven shillings six pence, w^{ch} sume is returned by a bill enclosed. If you have y^e note of his Caution, you are desired to send it to mee, for I haue giuen my hand for y^e receipt of it: his trunke was not weighed here, neither did I bargain for the carridge of it, because they are vsed to bee payd by y^e pound, and so it would haue been to noe purpose. S^r I hope yo^r Bro: will proue sober and ciuill, but you must haue an eye ouer him, for his nature is facile, and hee may bee easily drawn aside. I wish, hee may answer yo^r good designes for him, w^{ch} hee promises to bee carefull to doe. Thus wth my humble service p^rsented. I remaine.

Yo^r

Obliged ffriend to serue you

7^{ber} 26. 1670

J. Hamer.

[*Addressed*] These | To Edward Moore Esq; to bee | left
at M^r Thomas Sturmy | his chamber in S^t
Clemens-Inne | London. | wth my service.

[*Sealed*]

VI

Sep y^e 26 1670

ffor mending a suit	.	.	.	.	.	.	0	0	6
ffor footing a pare of stockings	.	.	.	.	.	.	0	0	6
ffor making a pare of legings	.	.	.	.	.	.	0	0	8
ffor making a wastcoate	.	.	.	.	.	.	0	1	6
ffor making a pare of linings	.	.	.	.	.	.	0	0	8

Rec yⁿ in full of this bill and all accounts due

from Mr Moore to this present . . . 0 3 10

Jaffry Street

VII

Mr Moore Bought of W^m Bayly*July 6th 1670*

1 p ^r of Warsted hose	.	.	.	.	.	00 05 00
3 y ^{ds} Cotton Ribond .	.	.	.	.	.	00 00 06
4 y ^{ds} 4 ^d taffaty Ribond	.	.	.	.	.	00 01 00
1 y ^d $\frac{3}{4}$ 8 ^d fferrett Ribond	.	.	.	.	.	00 00 09
silke . . . . .	.	.	.	.	.	00 00 02
3 y ^{ds} 4 ^d taffaty Ribond	.	.	.	.	.	00 00 09
1 y ^d $\frac{3}{4}$ 8 ^d fferrett Ribond	.	.	.	.	.	00 00 09
3 y ^{ds} $\frac{1}{2}$ dimethy . . . . .	.	.	.	.	.	00 04 01
5 y ^{ds} of brode tape & threed	.	.	.	.	.	00 00 06
1 y ^d $\frac{1}{2}$ 6 ^d fferrett	.	.	.	.	.	00 00 06
silke . . . . .	.	.	.	.	.	00 00 01
6 y ^{ds} $\frac{3}{4}$ dimathy . . . . .	.	.	.	.	.	00 07 10
7 dz Wascots buttons	.	.	.	.	.	00 01 09
tape & threed . . . . .	.	.	.	.	.	00 00 10
						<hr/> 01 04 06 <hr/>

Sept: 26th 1670

Receved then of Mr Hamer in ffull of the debts of
 Mr Moore the sum of twenty fouer shillings I say Red in } 24^s
 ffull of all accounts

p me W^m Bayly

VIII

Mr Moore

Lypsius of constancy bd c	.	.	.	.	.	0 : 2 : 4
q ^r paper & penns	.	.	.	.	.	0 : 0 : 7
Bacon's essays	.	.	.	.	.	0 : 2 : 6
						0 : 5 : 5

Sept. 26. 1670.

R^d then in full of this Bill & all Accounts due
 from M^r More to this present, five shillings five
 pence.

}	s.	d.
0	5	5

Ric: Davis. (70)

[On the paper-wrapper in which the letters were tied up:—]

Mr Hamer fellow of Brasen-Nose Acompt y^e last He maid
for my Brother

F.

INSCRIPTION ABOVE THE TOMB OF
THOMAS YATE IN THE LITTLE
CLOISTER

H. S. I.

THOMAS YATE, SS. Theologiae Professor
a Collegii hujus Sociis,
Quos anno MDCXLVIII

Ob fidem Regi, Ecclesiae, & Deo egregie praestitā
Proscriptio nobilitavit, in Principalem electus ;
A parricidis democraticis,

Qui Academiam sub visitationis praetextu divastarunt,
Exauctoratus :

Dignus quē viri optimi sibi *praeficerent*, et pessimi *opprimerent*,
Regiis auspiciis anno MDCLX postliminio restitutus,
Injuriarum immemor.

Gregem sibi commissum non vi et imperiis,
Sed benevolentia et exemplo rexit.

Literarum et pietatis studia promovit,

Aedificia instauravit,

Rem familiarem auxit,

Tandem

Desideratissimus senex,

Collegii pater et patronus,

Et tertius tantum non fundator ;

Post xx annorū pacatissimū in regimine decursū,

Et vitae LXXVIII :

Positis hic corporis exuviis, animā coelo reddidit,

Apr. XXII : An. MDCLXXXI.

XIII

History of the College
1690-1803

Part I Annals
Part II Social Life

By Reginald W. Jeffery M.A.
Of Brasenose College

Illustrations to Monograph XIII

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I, Dr. Francis Yarborough, Principal 1745-70	21
II, Dr. John Latham, President of the Royal College of Physicians (matr. 1773)	28
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INTRODUCTION

IT was with the greatest pleasure that I accepted the kind invitation of the Principal and Fellows to write a second Monograph for the Quatercentenary celebrations. I have not attempted to show how deeply Brasenose men are indebted to their predecessors for magnificent benefactions; but once again I have tried to sketch something of the annals of the College, and to depict the chief social features of Brasenose College life during the eighteenth century.

I have to thank Mr. Madan for his kind help in lending me many contemporary books; and I must again acknowledge how much I owe to Mr. Coxhill for the facts and figures that I have quoted.

REGINALD W. JEFFERY.

OXFORD, 1909.

PART I

BRASENOSE COLLEGE ANNALS

1690-1803

THE most interesting and exciting period of the history of Oxford was over when William III and Mary ascended the English throne in the spring of 1689. The seventeenth century may be said to have closed at the time of that glorious Revolution, which was 'a revolution not made but prevented'. In the rapid events that occurred between 1686 and 1688 the University of Oxford played no small part; and the din of religious controversy and political struggle which resounded through the Halls and Common Rooms of Magdalen and University Colleges re-echoed in the quiet old quadrangle of Brasenose. This was chiefly due to the fact that 'a shatter-headed Fellow'¹ of the College, John Bernard² (matric. 1676), was an intimate disciple of the notorious Obadiah Walker, the Master of University College. The Fellows of Brasenose discussed with the keenest interest the fate of their contemporaries; and the scandalous aggressions of James II with regard to the rights and privileges of collegiate bodies in both Universities furnished a fruitful topic of conversation. Nothing, however, disturbed the outward calm of Brasenose College life, and the accession of the Dutch prince was accepted, though not without mutinous whispers. The rattle of arms during the Civil War had taught the men of Brasenose to prefer the paths of peace, and though the collapse of the tyrannous Stuart rule was a cause of much seditious talk, the matter ended here.

¹ Mon. XII, pp. 23-4, 'he is the only Brasenose man in this period who held a University teaching office.'

² *B. N. C. Reg.*, i, p. 236.

*The
character
of the
period.*

This period of College history is inevitably lacking in interest. Like the general history of the University it is open to one sweeping condemnation: it is dull. And yet it was, in the early years, a period of the most fierce political controversy, and 'party feeling ran high even for that age of partizanship: the storm of politics raged in the Academic tea-pot with quite as much violence as in the world outside'.¹ The fact was that Oxford was the real Jacobite capital of England, the place to which the eyes of honest country squires turned as the only true hope of the nation; and Oxford men, including the jovial Tories of Brasenose, delighted to pass their wine over the water, and were ever ready to 'toast "Betty of Hearts", or drink "King James, Ormond and Mar", and "Confusion to the Usurper", and "Damn the Constitutioners", and "Good Fortune to the Good Cause"'.² Although these were some of the chief features of University life, it is only just to say that as far as Brasenose College was concerned the eighteenth century exhibited some activity, for there were the beginnings of some of the characteristics of modern life. It was the period of the birth of the noble dream, now at last realized, of a magnificent front along the High Street. It was then, too, that the good fellowship necessarily attendant upon the formation of a Common Room matured.³ The old members showed more than usual generosity in bestowing upon their beloved College munificent gifts of plate and money,⁴ which caused the commencement of the handsome Book of Benefactors,⁵ which still bears witness to the loyal affection of Brasenose men. During these years the Library and the Hall were taken in hand, and were both much improved by the addition of their present ceilings.⁶ The old quadrangle was altered in appearance, and the 'Deer Park', then the Fellows' Garden, was constructed and planted, and practically obtained its present shape. It was, too, the period of the dawn of 'reform'; the humbug of the exami-

¹ A. Godley, *Oxford in the Eighteenth Century* (1908), p. 13.

² J. Buchan, *Brasenose College* (1898), pp. 49-50.

³ Mon. III, p. 37; Mon. VIII, p. 7.

⁴ Mon. IV; Mon. V.

⁵ Mon. IV, Plate III.

⁶ Mon. III, pp. 34 and 43.

nation system was at last exposed, and a Brasenose man¹ led the way towards more honourable methods. As for undergraduate life, it was evidently of a somewhat hilarious character, as the members of Brasenose had 'an undue prominence in the Vice-Chancellor's Court'²; but as a check upon this the College authorities printed the Statutes, and attempted to persuade men to work by unchaining the books in the Library.³ The foundation of the Phoenix Common Room was a very distinct feature in the progress of College institutions; and the history of the whole period is pre-eminently social. There is a joviality about the life which finds expression in the fame of Brasenose Ale,⁴ and the earliest 'Ale Verses' that have been found belong to the first decade of the eighteenth century.⁵

¹ Mr. Napleton, see p. 25.

² Clark, *Colleges of Oxford* (1892), p. 261.

³ Mon. III, p. 34, 'Brasenose Library being the last in England to have its books set free.'

⁴ Vic. County Hist., *Oxfordshire*, ii, p. 259.

⁵ These verses were preserved in Hearne's *Diary* for 1709. They were spoken by the Butler (that year Mr. Shipperry) on Shrove Tuesday:—

'With age and sickness, though unactive grown,
My duty still shall in my verse be shown,
And, while my strength and sprightly heat decays,
My grateful muse still her attendance pays:
For Aristotle sure will ne'er admitt,
From want of health to argue want of witt.
Thus, old and blind, the Græcian Homer sung,
His muse was, like his Phoebus, ever young.
But though my rhymes should heavy be, and dull,
My bowl shall still be good, shall still be full.
For while this yearly tribute here I bring,
'Tis much at one, whether I say or sing;
And if the criticks should my verse expose,
The bowl sounds well in downright honest prose.
Here's none of your new-fangled stuff from *Vigo*;
This comes from the cellar where Michael and I go!
For this generous liquor we ne'er cross the main,
Nor want either commerce with *France* or with *Spain*.
Old England affords us whatever we lack,
Give us ale,—and a fig for their claret or sack.
Then in true *English* liquor, my masters, begin,
Six go-downs upon rep. to our true *English* King!
In this orthodox health let each man keep his station,
For a Whig will conform upon such an occasion.'

See *Brasenose Ale* (edit. 1901), pp. 1-2. The Brewhouse where this famous

*The
benefaction
of William
Hulme.*

Starting at the end of the seventeenth century, Brasenose College history opens with one of the most remarkable benefactions ever granted to any society in Great Britain, and hundreds of men have had good cause to bless the name of William Hulme, of Kearsley, in the county of Lancaster. This man, probably a member of the College, left land producing £40 per annum for four exhibitions to 'be paid to four of the poorest sort of Bachelors of Arts at Brasenose College, who were bound to reside for four years after taking their degree'.¹ The property, which lay in the Hulme district of Manchester, has become of very considerable value, and the original £40 has grown to about £15,000 net, not counting a past expenditure of more than £130,000 of capital.² In 1904 there was some fear lest too much of the vast surplus should be appropriated to local Lancashire purposes; but the College succeeded in securing a large share, and settled 'once for all the proportion of their claim on the revenues of the estate, present and prospective.'³ The first two recipients of the benefaction were Samuel Davie and John Hyde, who were elected on June 25, 1692. The former left the College in 1696, but the latter, having been elected to a Fellowship on November 24, 1692, served as Junior and Senior Bursar from 1706-10, and during the last twelve months of his office held the rectory of Dudcote.⁴ He seems to have been a cantankerous man, for Hearne records on Friday, June 6, 1707, an acrimonious quarrel concerning Mr. South's vacancy at Brasenose. Dr.⁵ Hyde tried to bring about trouble between Mr. Thompson,⁶ the Vice-Principal, and a certain Mr. Baker; but what threatened to be a long source of ill-will was at last amicably settled.⁷ Hyde was not spared long to cause any further quarrels, for he died on July 15, 1710.⁸

Ale was made was erected 1696-7. The College ceased to brew its own Ale when the New Quadrangle was constructed.

¹ Mon. IV, p. 30.

² Mon. VIII, p. 28.

³ Mon. IV, p. 30.

⁴ *B. N. C. Reg.*, p. 254.

⁵ Grace for D.D., April 11, 1707.

⁶ *B. N. C. Reg.*, p. 252.

⁷ O. H. S., vii, p. 18. Cf. Mon. XII, p. 26.

⁸ *B. N. C. Reg.*, p. 254.

The substitution of William and Mary for the renegade *Brasenose* James II caused a very serious secession amongst the clergy *Non-Jurors*. of the Church of England. They were all required to take the oaths of allegiance and supremacy by August 1689, and those who did not comply by February 1690 were deprived of their benefices. Between 300 and 400 refused the oath, and there thus sprang up that section of the clergy known as Non-Jurors. In the whole of Oxford there were, at first, very few who failed to take the oath, but some of these were members of Brasenose. The first was Stephen Sagar,¹ who is erroneously called a Fellow of the College by Mr. C. Wordsworth²; while the second was William Pincocke,³ Senior Fellow, who was deprived of his fellowship on January 23, 169 $\frac{1}{2}$.⁴ Three undergraduates refused their B.A. degree rather than take the oath,⁵ and James Eckershall⁶ (matric. 1680), a Fellow of the College, 'professed himself a penitent.'⁷ In later years a few other members of Brasenose joined this body of non-conformists, such as Robert Whitehead⁸ (matric. 169 $\frac{3}{4}$), who was ordained by Bishop N. Spinckes in or about 1710, and Thomas Bennett⁹ (matric. 1716), who was ordained ten years later.

Some Brasenose men preferred to choose the task of preaching *Royal Chaplains* the Gospel in the colonies, and at the end of the seventeenth *chosen from Brasenose* century Bartholomew Yates¹⁰ (matric. 169 $\frac{4}{5}$) was ordained and licensed to preach in Virginia, while on March 5, 1708, Benjamin Goodwin¹¹ (matric. 1697) was granted the same privilege. It is remarkable that although the College, like the University, was strongly Tory, if not actually Jacobite,¹² it supplied a large number of chaplains to the Hanoverian kings. Thus Thomas Bradshaigh¹³ (matric. 1701) became chaplain in

¹ *B. N. C. Reg.*, p. 254.

² C. Wordsworth, *University Life in the Eighteenth Century* (1874), pp. 14, 605.

³ Palin, *History of the Church of England*, App.

⁴ *B. N. C. Reg.*, p. 220.

⁵ Mon. XII, p. 25.

⁶ *B. N. C. Reg.*, p. 241.

⁷ *Life of Kettlewell* (1718), ii, App. xxxii.

⁸ *B. N. C. Reg.*, p. 263.

⁹ *Ibid.*, p. 297.

¹⁰ *Ibid.*, p. 265.

¹¹ *Ibid.*, p. 269.

¹² Wordsworth, *ut supra*, p. 27.

¹³ *B. N. C. Reg.*, p. 276.

ordinary to George I; Charles Jenner¹ (matric. 1724) was chaplain to George II; John Johnson² (matric. 1721) afterwards became prebendary of Durham, and was probably domestic chaplain to Caroline, Princess of Wales. Robert Markham³ (matric. 1748), Frederick Augustus Henry⁴ (matric. 1754), William Bingham⁵ (matric. 1761), and John Keysall⁶ (matric. 1778) were all, at different periods, chaplains to George III. Henry Fly⁷ (matric. 1762) had the more high sounding, though somewhat mysterious title of 'Confessor to His Majesty's household'. Ralph Sneyd⁸ (matric. 1770) and Richard Scott⁹ (matric. 1799) were both chaplains to the libertine Prince of Wales.

*The
Senior
Common
Room.*

Mention has already been made of the Senior Common Room. How long this had been in existence it is now impossible to say, but at any rate there was such a room as early as 1682 situated on the left-hand side of No. II Staircase.¹⁰ It was moved to its present site in 1707, and to-day 'the room has that comfortable atmosphere of the eighteenth century suggestive of good port wine'.¹¹ It is interesting to notice that many of the present coats of arms emblazoned in different parts of the room belonged to those men who contributed towards its adornment.¹²

*John
Meare,*

1665-1710.

At this time the College was under the rule of John Meare,¹³ who had matriculated in 1665. He was installed Principal in 1681, and in 1697 was elected Vice-Chancellor. He was, like most of the Heads of Colleges, a great pluralist, as he held several rectories during his period of office. Some time before his death, on May 18, 1710, he was insane, and it is recorded that there was great difficulty in electing to College offices owing to the 'incapacity of the Principal'.¹⁴ One thing in particular marked the days of his rule, and that, the foundation of the Bridgeman oration by Sir Francis Bridgeman, who

¹ *B. N. C. Reg.*, p. 309.

² *Ibid.*, p. 305.

³ *Ibid.*, p. 341.

⁴ *Ibid.*, p. 349.

⁵ *Ibid.*, p. 356.

⁶ *Ibid.*, p. 378.

⁷ *Ibid.*, p. 357.

⁸ *Ibid.*, p. 367.

⁹ *Ibid.*, p. 405.

¹⁰ *Mon. III*, p. 37.

¹¹ *Ibid.*

¹² *Mon. IV*, pp. 57-8.

¹³ *B. N. C. Reg.*, p. 214.

¹⁴ *V. P.'s Reg. B. for March, 1708*. The difficulty was accentuated by the sudden death of the Vice-Principal, James Smethurst, on March 5. Cf. *B. N. C. Reg.*, p. 258, and *Mon. XII*, p. 25.

left £500 in 1701 for an annual composition in praise of King James II.¹ Besides this it is also memorable that several men distinguished themselves at this time. Amongst these were Pierce Dod² (matric. 1697⁷/₈), who afterwards became a Fellow of the College of Physicians, and took some interest in the then extremely rare inoculation for small-pox; and Thomas Carte³ (matric. 1698), an historian of some note and a voluminous writer.

Meare's peaceful rule gave way to more stirring times when Robert Shippen⁴ was elected eleventh Principal on June 2, 1710. He was devoted to music, and was made Professor of that art at Gresham College in 1705; while his general culture earned for him a Fellowship of the Royal Society in the next year. A fortnight after his appointment as Principal he became rector of Stepney⁵; he then proceeded to his B.D. and D.D. degrees, and within the month acquired the rectory of Great Billing. The Fellows of the College were evidently most anxious to make the new Principal as comfortable as possible, for on January 11, 1711⁶/₁, after his marriage with Frances Legh of Lyme, 'absente Dno Principali convenerunt Vice-Principalis sociique sex seniores qui lubentissime unoque ore consenserunt, cameras medias supremasque juxta novam Bibliothecam septentrionem versus positas Principalis usui in posterum esse dicatas.'⁶

Robert Shippen was throughout his life a quiet but devoted Jacobite, as evidenced by several of his actions. His election exactly coincided with the period of furious excitement over the trial of Dr. Henry Sacheverell, the strong upholder of the doctrine of non-resistance, and when the Lords only suspended

*Robert Shippen,
1693-1745.*

*Brasenose
a Tory
hot-bed.*

¹ By a decree in Chancery, 1734, the money was to be applied to pay one Fellow to be appointed yearly to pronounce an oration on the Arts and Sciences. The prize is now given for an essay in History or Philosophy. See Mon. V, p. 31.

² *B. N. C. Reg.*, p. 270.

³ *Ibid.*, p. 271.

⁴ *Ibid.*, p. 262. Hearne said 'This Shippen is so illiterate a man that he understands nothing of Latin. Nor can I learn that he ever yet preached. He is a mere Hocus Pocus and very unfit for a cure of souls.' Cf. O. H. S., xliii, p. 16.

⁵ V.P.'s Reg., September 30, 1717.

⁶ V.P.'s Reg. C. 6.

this preacher, Dr. Shippen, with the other Heads of Colleges, as well as 'most persons of distinction in the neighbourhood of that city',¹ hastened to welcome him and offered him every form of lavish entertainment. Another reason for suspecting the Principal of strong Tory, if not actually Jacobite proclivities, is afforded by a letter written by Roger Kenyon to his sister-in-law, Mrs. Kenyon, on October 27, 1711. 'I saw Mr. W. Shippen',² wrote Kenyon, 'who told me he had received a letter from the head of Brazen-nose, who said he would favour what he could, Mr. Entwistle's³ pretensions, but he added that the young man, he finds, was a Whig, which was against the present humour of the College. In truth, unless the young man's learning distinguish him a good deal, I doubt not the party he is of will be some prejudice to him.'⁴

*Dislike of
George I.*

One may be allowed to imagine that Dr. Shippen was amongst the strong body of senior members of the University who, in 1714, 'upon their chancellor, the Duke of Ormond, openly embarking in the service of the Pretender, testified their unaltered attachment to him by choosing his brother, the Earl of Arran, to hold his station.'⁵ The whole Common Room of Brasenose, no doubt, chuckled at the absence of rejoicing on the night of October 20, 1714, when George I was crowned. 'Nor did any person that I know of,' says Hearne, 'drink King George's health . . . the illuminations and bonfires were very poor and mean.'⁶

*The Con-
stitution
Club and
riots, 1715.*

The Principal must have found great difficulty in preserving discipline in the College during the exciting year 1715, when every Brasenose Tory was eagerly waiting for the news of

¹ *Life and Reign of Queen Anne*, p. 541.

² This was William Shippen of Cheshire (matric. 1687). Pope said of him:—

'I love to pour out all myself as plain
As downright Shippen, or as old Montaigne.'

Sir Robert Walpole declared 'that he was the only incorruptible man he knew'. See *B. N. C. Reg.*, p. 254; *Mon.* XII, p. 27; *D. N. B.*

³ Robert Entwistle, *B. N. C. Reg.*, p. 289.

⁴ *Hist. MSS. Com. Rep.* xiv, App. 4.

⁵ Monk, *Life of Bentley*, i, p. 375.

⁶ *Reliq. Hearn.*, Bliss, i, p. 311.

the success of the rebellion. Nor was it possible to preserve peace in the Oxford streets when the members of the *Constitution Club* paraded their Whig doctrines and beliefs, and celebrated their 'revolution' festivals from the King's Head Tavern in the High Street.¹ Amongst the members of this club there were five fellows, a chaplain, and four gentlemen-commoners of New College, one gentleman-commoner and seven others of Oriel, three undergraduates from Christ Church, and one from each of the colleges, All Souls, Merton, St. John's, and Worcester.

'On the King's birthday, the 28th of May . . . the whole body of the Constitution Club met together at a tavern, and ordered the windows of the house to be illuminated and some faggots to be prepared for a bonfire. But before the bonfire could be lighted, a very numerous mob, which was hired for that purpose, tore to pieces the faggots and then assaulted the room where the Club was sitting, with brickbats and stones. All the time that the mob was thus employed, the disaffected scholars, who had crowded the houses and streets near the tavern, continued throwing up their caps and scattering money amongst the rabble and crying out, "Down with the *Constitutioners*, down with the *Whigs*, No George, James for ever, . . . &c."'²

'Healts were everywhere drank,' says Hearne, 'suitable to the Occasion, & everyone at the same time Drank to a new Restauration, which I heartily wish may speedily happen.'³ These events took place on a Saturday night, but on the Sunday the affair grew worse. The Constitution Club met this time at Oriel College,⁴ and again was attacked by the scholars and the mob. During the conflict a most serious accident took place. A Brasenose man was wounded by a gunshot fired by a Constitutioner, which had the effect of dispersing the crowd, and it rushed away to its old and welcome task of pulling down the conventicles, 'and doing

¹ Jeaffreson, *Annals of Oxford*.

² Wordsworth, *ut supra*, pp. 42-4.

³ O. H. S., xlii, p. 62.

⁴ Nicholas Amburst, in his *Terrae-Filius* (edit. 1754), pp. 269-70, makes the astounding statement that 'it was immediately resolved to demolish that college. The Oriel men, as it happen'd, had foresight enough to bar up their gates before the approach of the mob.'

the most extravagant mischief that so ingenious and learn'd a mob could contrive.' ¹

The dissolution of the Constitution Club.

With such excitements as these to engage the attention, it was no enviable position to be Proctor, as Mr. Thomas Dod,² of Brasenose, found, especially on the night of June 10, which was the Old Pretender's birthday, 'being now compleat 27 years of age.' Hearne records that a riot was expected, and was only prevented by the intervention of the Vice-Chancellor, 'so that all honest Men were obliged to drink King James's Health, & to show other tokens of Loyalty, very privately in their own Houses, or else in their own Chambers, or else out of Town.'³ The Constitution Club still continued to flourish, and only came to an end during the period that Dr. Shippen was Vice-Chancellor.⁴ The fact was that the University as a whole was strongly against this Whig Society; graduates and undergraduates were ardently Jacobite, and the Fellows steadily evaded the oath of allegiance to King George.⁵ The King was very angry about this, and several 'rattling' letters passed between the authorities and the Vice-Chancellor.⁶ Nicholas Amhurst tells the story of the dissolution of the Constitution Club.

'As the constitution-club about this time began to sicken and decay, so it was not long after this before it gave up the ghost. . . . A most impudent and seditious sermon . . . was preach'd before the university on the twenty-ninth of May 1719, by one W . . . n,⁷ a fellow of Merton-college and the professor of poetry. Complaint was made of this sermon

¹ Amhurst, *ut supra*, p. 270.

² *B. N. C. Reg.*, p. 275. The Brasenose men who were Proctors during the eighteenth century were:—1700, William Thompson; 1708, James Smethurst, Thomas Stanley; 1715, Thomas Dod; 1723, Robert Leyborne; 1731, Thomas Foxley; 1738, Edward Traherne; 1746, Thomas Cawley; 1754, Mathew Maddock; 1761, Thomas Barker; 1769, Henry Mayer; 1777, John Foley; 1784, William Stalman; 1792, Thomas Wright; 1800, John Tench.

³ O. H. S., xlii, p. 65.

⁴ 1718-22.

⁵ Wordsworth, *ut supra*, p. 15. For the Jacobite character of Oxford, cf. Lecky, *A History of England in the Eighteenth Century* (edit. 1901), ii, p. 68; Walpole, *Memoirs of George II*, i, p. 413; Smollett, *Hist.*, bk. iii, ch. i; Fitzmaurice, *Life of Shelburne*, i, p. 35.

⁶ Wordsworth, *ut supra*, p. 44, and O. H. S., xlii, p. 64.

⁷ Rev. Thomas Warton, 1688-1745; father of the more celebrated Joseph Warton (1722-1800).

to the vice-chancellor,¹ by a fellow of Merton-college; but the vice-chancellor refusing to proceed against the preacher upon this complaint, Mr. Meadowcourt sent up an account of the sermon and of the vice-chancellor's refusal to proceed against the preacher, to Mr. Secretary Craggs.² After this account had been laid before the lords justices,³ they commended Mr. Meadowcourt and ordered the vice-chancellor to take action. He, however, had, very conveniently, lost all his notes, and the matter ultimately dropped, but not before Dr. Shippen, at Commemoration, had branded Meadowcourt, "delator turbulentus qui de peritissimo poetices professore, in oratione accuratissima tyrannidis miseria depingente, conquestus est; & quum ipse delatori inobediens fui, ad extraneos judices provocavit, spretâ meâ autoritate, spreto juramento suo."⁴

A year before the dissolution of the Constitution Club, Dr. Shippen had been troubled by an action taken by the Whigs against the 'honest' Jacobite, Thomas Hearne; but all danger from attack passed away because the Principal of Brasenose was 'mightily inclin'd to stop my Prosecution'.⁵ The fact was, 'the prefaces to Hearne's editions of Camden's *Elizabetha* and of Guilielmus Neubrigensis afforded some ground for his enemies to allege that he had slighted the Reformation, and thereby the Protestant character of the Church of England.'⁶ Fortunately for that industrious combative little man, the Chancellor, Lord Arran, and Vice-Chancellor Shippen were far too wedded to the Stuart cause to allow any evil to befall him, and he was permitted to live in peace in St. Edmund Hall, collecting 'University scandal with his usual acrimonious diligence'.⁷

The common knowledge that the men of Brasenose were so notoriously Jacobite in their sentiments tempted a black-mailer to make an effort to catch them red-handed in their 'evil' practices. He was, however, overstepped in cunning, and whipped at the Cart's Tail from 'Cairfax to East Gate'. Hearne says, on July 23, 1721:—

¹ Dr. Robert Shippen, of Brasenose.

² *D. N. B.* (edition 1), vol. xii, p. 440.

³ Amhurst, *ut supra*, pp. 274-5.

⁴ *Ibid.*, p. 82.

⁵ O. H. S., xliii, p. 395. Hearne wrote on October 14, 1718, 'the V. Chanc. is very much inclined to do me all possible service, which makes me apt to think the Prosecution will be stopt.'

⁶ *Ibid.*, p. v, Preface.

⁷ Godley, *ut supra*, p. 153.

'He was a perfect stranger and sometime since came into Brazen-nose Coll: Common Room and into some Chambers of the same college, uninvited and against all People's Wills, took up the Glass and proposed and drank the Healths of K. James, and the D. of Ormond &c, on purpose to trepan gentlemen; upon w^{ch} complaint being made to the Vice-chancellor,¹ he was apprehended and committed to the Castle, and being try'd this Assizes, he was sentenc'd to be whipt, and 'tis found that he is a Rogue that goes about to ensnare men.'²

*Domestic
affairs
of the
College,
1710-20.*

In the meantime the purely domestic affairs of the College are not without interest. Throughout the eighteenth century the Fellows always arranged matters with the greatest care for their own comfort and welfare. In the old days, a Fellow, when absent, ceased to reap the advantages of his fellowship; but in the reign of Queen Anne, when flying visits to London were becoming far more frequent than they had been, the ancient system of stopping 'pay' proved extremely vexatious. For this reason, on June 16, 1710, and January 5, 171 $\frac{0}{2}$, the Principal and the six senior Fellows decreed 'that a Fellow, absent with leave, should have his emoluments, except commons'.³ When the Fellows were in residence they had to appoint to College offices, and there are frequent references to this, and in particular to the election of the clerk of the accounts. The status of this man had completely changed, for when the office was originated, in the reign of Elizabeth, it was held by a master of arts⁴; but during the eighteenth century this was no longer the case.⁵ The Seniority of the College had also to appoint to different livings,⁶ and

¹ Still Dr. Shippen.

² O. H. S., xlvihi, p. 261.

³ V. P.'s Reg.

⁴ Mon. X, p. 38. The office ceased to exist some few years ago. The last to hold it was Mr. Walsh, who died 1909.

⁵ See V. P.'s Reg. :—

171 $\frac{5}{8}$, March 13. Francis Heywood junior admitted clerk of the accounts and took the oath.

1739, Dec. 20. Thomas Browne, armiger, admitted 'clericus computi'.

1743, Dec. 20. Robert Jenner admitted 'clericus computi'; he had been steward of the Buttery.

1772, Feb. 28. Rawlins appointed clerk of the accounts.

1776, Oct. 30. Rawlins died and Joseph Goodenough appointed.

1779, March 10. Elias Taunton appointed.

1796, Dec. 20. T. H. Taunton elected in place of Elias Taunton.

⁶ Mon. VIII, p. 13. 1713, 'An Act... for restoring to the Principal and

to the mastership of Middleton School.¹ This latter did not always prove an easy task, and occasionally the authorities selected the wrong man, as is shown by an entry on March 13, 171 $\frac{6}{7}$, when John Makinson was removed from the under-mastership, 'negligentiae pravorumque morum causa'.²

The dons were kept busy with college work, and while the Vice-Principal had to make visits to London to consult the bishop about Stepney,³ the two Bursars were engaged with their accounts.⁴ Nor was their work made any easier by a rescript of the Visitor,⁵ issued on November 7, 1717. It was pointed out that a practice had grown up of using two accounts, the Great Account settled in November, and the Bye Account, which continued open and unaudited for some months after. This system was contrary to the statutes, as they enjoined that the Bursars' Account be made up in November. The Visitor, therefore, commanded that both the senior and junior Bursars, in future, bring in a complete and final Account to the Auditors every year, on or before November 30; he also decided that the new Bursars and other officers must enter upon their office on or before the ensuing feast of St. Thomas.⁶ The Bursars' task was by no means an enviable one, as besides innumerable difficulties of catering, persuading men to pay their battels, and such heart-rending problems, they had also to contend with a most peculiar assortment of money, of varying values and confusing denominations. This is well illustrated by taking one

*The duties
of the Vice-
Principal
and
Bursars.*

Scholars of *King's Hall* and College of *Brazen-Nose* in the University of *Oxon.* their Right of Presentation to the Churches and Chapels in Stepney Parish.'

¹ Mon. X, p. 10. Cf. *B. N. C. Reg.*, p. 292, 'Ds Fielden app. Schoolmaster of Middleton, 13 Mar. 171 $\frac{6}{7}$.'

² V. P.'s Reg. C.

³ Ibid., Aug. 11, 1718.

⁴ For a full account of the Great Roll see Principal Cawley's Note-book, preserved in the Muniment Room of the College.

⁵ Edmund Gibson, Bishop of Lincoln.

⁶ V. P.'s Reg. C. Cf. *ibid.* for 1785, when there was again difficulty in concluding the audit and electing officers. On this later occasion, it was because Principal Cleaver was called away by the illness of his wife. On February 10, 1786, it was resolved that it was not necessary to refer the matter to the Visitor [Thomas Thurlow, Bishop of Lincoln].

example, out of many, of a 'count'¹ that was made to find how much money was in the college chest.² The following sums were found:—

	£	s.	d.
400 guineas	420	0	0
64 guin. and $\frac{1}{2}$	67	14	6
7 Broads ³	8	1	0
2 Scepters ⁴	2	10	0
10 Moidores ⁵	13	10	0
1 Moidore	1	7	0
$\frac{1}{2}$ Moidore	13	6	
2 Portugais ⁶	3	12	0

The Sun-dial and 'Cain and Abel'.

The Bursars were particularly active in 1723 and 1734, when they had to discuss the pros and cons of the plans of Nicholas Hawkesmoor for the entire rebuilding of the College. It is not often that one has to rejoice at the lack of College funds, but the present generation may well be thankful that pecuniary circumstances presented an insuperable difficulty, and Hawkesmoor's scheme was rejected. But if there was not enough money for rebuilding, smaller payments for the supposed improvement of the College⁷ had to pass through the Bursars' hands. Thus they were responsible for the Sun-dial, which was placed on the south side of the northern wall of the quadrangle in 1719. It appears to have cost just under £9; the bill for 'painting and gilding the diall with the blew' amounted to £7 7s.⁸ So, too, the Bursars made arrangements for the reception of a copy of Giovanni da Bologna's valuable 'Cain and Abel',⁹ which was presented by Dr. George Clark (matric. 1675)¹⁰ in 1727. It is described

¹ This 'count' was made in the year 1731.

² Mon. V, Plate I. It is still preserved in the College Muniment Room.

³ A name applied after the introduction of the guinea to the 20s. piece, i. e. the Jacobus or Carolus; in 1691 those of James I were worth about 23s.

⁴ Cf. Kenyon, *Gold Coins of England*.

⁵ A gold coin of Portugal current in England in the first half of the eighteenth century; Newton, in 171 $\frac{1}{2}$, said they were worth £1 7s. 8 $\frac{1}{2}$ d.

⁶ In 1658 they were said to be worth £3 10s.; they had evidently depreciated by this period.

⁷ Mon. III, pp. 47-50.

⁸ Ibid., p. 41.

⁹ *Notes & Queries*, Series 4, iii. 83; 6, iv. 517; 8, vi. 285, 437, 497.

¹⁰ Mon. V, p. 35; Mon. XII, pp. 30-1; *B. N. C. Reg.*, p. 234.

by one writer as 'the fine, though Shocking Statue'¹; while Hearne, who was much annoyed by the alterations, wrote on October 25, 1727:

'last week they cut down the Pleasant Garden in Brasenose Quadrangle . . . a delightfull and pleasant Shade in Summer Time . . . purely to turn it into a grass plat and to erect some silly statue there'.²

Undoubtedly the material interests of the community were carefully watched,³ but the intellectual side of college life was neglected, and the religious side altogether spurned. And yet it is worthy of notice that the strongly Jacobite College was not altogether untouched by the new Methodism that came into existence in Oxford about 1728 and 1729, and with which the name of Wesley is so intimately associated. John Wesley, after five years at Christ Church, was ordained deacon in 1725. Two years later he left Oxford to assist his father, but returned as tutor in Lincoln College in 1729. In the meantime his brother Charles,⁴ James Hervey,⁵ George Whitefield,⁶ and two or three other undergraduates showed such religious earnestness as to provoke the remark, 'Here is a new sect of Methodists sprung up.' The means they employed were what most ages would have called purely beneficent, but they found themselves prophets without honour in their own country, and soon learnt that the University of Oxford was stony ground. One Brasenose man, John Clayton⁷ (matric. 1725), was captivated by the

¹ J. Pointer, *Oxoniensis Academia* (1749), p. 70.

² Quoted by Godley, *ut supra*, p. 33. The statue was removed in 1881; cf. Mon. III, Plate XIII. Mr. Buchan, in his *Brasenose College*, p. 79, says 'The statue seems to have been a strange perversion of the Scriptural fact, for Cain, as we learn from many a *jeu d'esprit*, was painted a shining white. Occasionally, too, so runs the story, both figures would be habited in odd raiment and coloured red by sportive gentlemen of the College.'

³ Sometimes the Bursars did not fulfil the confidence placed in them, cf. *B. N. C. Reg.*, p. 339. John Kynaston, after being Junior Bursar, 1762-4, was deprived of his office and required to remove himself from the College on account of 'gravia delicta', on March 22, 1764; he is finally allowed to leave the kingdom, 'si quidem huiusmodi veniâ, secundum vim et tenorem statutorum opus esse videatur.'

⁴ Charles Wesley (1707-88).

⁵ James Hervey (1714-58).

⁶ George Whitefield (1714-70).

⁷ *B. N. C. Reg.*, p. 311, not to be confused with John Clayton on p. 315.

courage, virtuous living, and good works of these youthful pioneers; and, although in subsequent years he became a High churchman and Jacobean, still there can be no doubt about his earnestness, when, as an Hulmeian Exhibitioner, he wrote to John Wesley on August 1, 1732:

‘Bocardo,¹ I fear, grows worse upon my hands; they have done nothing but quarrel ever since you left us; and they carried matters so high on Saturday that the bailiffs were sent for, who ordered Tomlyns to be fettered and put in the dungeon, where he lay some hours, and then, upon promise of his good behaviour was released again.

‘The Castle is, I thank God, in much better condition. All the felons were acquitted except Salmon, who is referred to be tried at Warwick; and the sheep-stealer, who is burnt in the hand, and who, I verily believe, is a great penitent. Jempro is discharged, and I have appointed Harris to read to the prisoners in his stead. Two of the felons likewise have paid their fees and are gone out, both of them able to read mighty well. There are only two in the gaol who want the accomplishment—John Clanville, who reads but moderately, and the horse-stealer, who cannot read at all. He knows all his letters, however, and can spell most of the common monosyllables. I have them both read, three times a week; and, I believe, Salmon hears them so many times a day.

‘One of my college scholars has left me, but the others go on mighty well. The woman, who was a perfect novice, spells tolerably; and so does one of the boys; and the others made shift to read with spelling every word that is longer than ordinary. The boys can both say their Catechism as far as the end of the Commandments; and can likewise repeat the morning and evening prayer for children in Ken’s manual’.²

‘Mrs. Tireby has been very ill this last week so that she has made no great proficiency. I am to go down at six o’clock to hear the determination of a meeting of St. Thomas’ parish respecting separating Bossum and his wife. When I had promised to give a crown towards clothing the woman, and the overseer had determined to take her upon that condition, the churchwarden would needs have him try to foist the man upon me, too, to get a crown towards clothing him; but as he is able to work for his living, I don’t think him a proper object for charity; nor can I at this time afford to do anything for him, because I am apprehensive that I must be forced to contribute to Salmon’s relief, who will want near twenty shillings to subpoena proper witnesses to Warwick at his trial; and I cannot but think it a much greater act of charity to relieve a suffering innocent than to relieve an idle beggar.

¹ This was the City gaol; it was destroyed in 1771. Cf. Godley, *ut supra*, p. 25.

² Is this Bishop Ken’s *Manual of Prayers for Scholars of Winchester College* (1674)?



Dr. Francis Yarborough
Principal 1745-70

‘I have been twice at the school, namely on Tuesday and Saturday last, and intend to go again as soon as I have finished this letter. The children all go on pretty well except Jervaise’s boy, who, I found truant till eleven o’clock in a morning. I threatened the boy what we would do to him if ever he truanted any more, and he has promised (as all children do) that he will do so no more; nay his mother assures me that she will take care for the future that he shall not. I got a shilling for her from our Vice-Principal,¹ and gave her sixpence myself to prevent the gown that is in pawn from being sold; and the woman who has it promised not to sell it, provided Jervaise will bring her sixpence a week towards redeeming it.

‘I have obtained leave to go to St. Thomas’s workhouse twice a week. I am sure the people stand much in need of instruction, for there is hardly a soul that can read in the whole house, and those that can don’t understand one word of what they read. Pray don’t forget a few Common Prayer-books for the Castle’.²

This letter is the only evidence that Brasenose men took any interest in an important and far-reaching movement. From this time for some years the College records are somewhat meagre; but two curious entries for the years 1735 and 1738 occur in the North Hincksey Parish Register. ‘John Watts and Rebecca Spindler were married in Brasen Nose College Chapel, Oxon, by J. Parker,³ June 2, 1735’; and ‘James Hanks and Elizabeth Besly’ were married in the same chapel by the same man on December 31, 1738. Such services were somewhat unusual, though similar instances have been found at Hart Hall between 1730 and 1732, and at Corpus Christi College in 174 $\frac{3}{4}$.⁴

The most important event in College history at this time was the election of Francis Yarborough⁵ as Principal on December 9, 1745. He was a Yorkshireman by birth, and for that reason was appointed to a Higden fellowship in 1719. He was Junior Bursar in 1729 and 1730, and Senior Bursar from 1730 to 1737. In 1739 he became rector of Aynhoe, and according to custom resigned his fellowship on May 10 the following year. When Yarborough became

*Marriages
in College
Chapel.*

*Francis
Yar-
borough
171 $\frac{3}{4}$ –70.*

¹ Rev. John Prichard (matric. 1717); cf. *B. N. C. Reg.*, p. 299.

² Buchan, *ut supra*, App. J., pp. 189–91.

³ *B. N. C. Reg.*, p. 301.

⁴ It is to be remembered that these marriages were made before Lord Hardwicke’s Marriage Act, 1753.

⁵ *B. N. C. Reg.*, p. 293.

Principal, Great Britain was passing through a period of alarms caused by the landing of Prince Charles Edward and his six companions at Moidart. The Rebellion of 1745 played an important part in the history of Great Britain and of Europe, and probably affected in a much less serious manner the history of the University and of Brasenose College. From April 4, 1745, to March 20, 1746, there were only twelve matriculations, a scarcity of entries that must have been partially caused by the rush young men made to serve in the armies of either the 'Bonnie' Prince or the 'Butcher' Cumberland. Brasenose men, however, kept quiet in Oxford itself, and there was not so much excitement as there had been at the time of the 'Fifteen'. It was well that they were more peacefully inclined, for stringent measures were taken against some of their youthful contemporaries at Balliol, and the harsh action of the Crown served as a warning to the more boisterous spirits at B. N. C.¹ From this time better order was kept; political bitterness and 'party' rowdyism began to disappear; and the College authorities began to pay more attention to their own private affairs and to the claims of learning and education.²

*Internal
improve-
ments,
1740-50.*

A great stimulus to learning was given in 1749 when the Radcliffe Library was opened.³ By the erection of this handsome building the external appearance of Brasenose was completely altered, for it was 'situated in the midst of an ample and superb square'⁴ which had been formed by the destruction of old buildings, amongst them the Brasenose College stable,⁵ which was transferred to Holywell. About the same time the College undertook internal improvements,

¹ For this story cf. O. H. S., xvi, p. 422, and Smollett, *Hist.*, Bk. III, ch. i, § 16.

² That this was needed, cf. Scott, *Works of Dean Swift* (1824), ix, p. 68; Boswell, *Johnson*, c. iii; Brodrick, *Hist. Univ. Oxford*, c. xv, p. 177; Bentham, *Memoirs*, x, pp. 38-41; Thistlewayte's *Memoirs of Bishop Bathurst*; Polwhele, *Traditions and Recollections*; *Autob. of Dr. Carlyle*, p. 363; and Moritz, *Travels*, pp. 89-95.

³ The foundation stone was laid on May 17, 1737; the opening ceremony took place on April 13, 1749. Cf. O. H. S., xvi, p. 422.

⁴ *The New Oxford Guide* (1775), p. 12.

⁵ Mon. X, pp. 46-7; cf. Mon. IV, p. 37. In 1770 Ralph Cawley gave £42 for accommodating the new lodge and building a coach-house.

and in 1748 the open fire in the middle of the Hall beneath the louvre was done away with and a chimney built at the cost of £14 7s.¹ But the Hall was not even then warm enough, for the open timber roof left it draughty, so Dr. Yarborough, in 1751, gave £120 'for stuccoing the ceiling in the Hall and passage',² besides a further sum for glazing the windows. A few years later he renewed his benefactions by helping to pay for the repaving of the Hall.³ Funds were evidently plentiful at this time, and the gifts of land, money, and plate were very considerable.⁴ The Fellows, also, did their best to improve the incomes of the different benefices in their gift,⁵ and to bring the College finances to a high state of perfection.

The University of Oxford showed the very keenest interest in the Seven Years' War,⁶ but the share that members of the University took in the actual fighting was very small; and there is no evidence to show that more than one Brasenose man, Thomas Nowell⁷ (matric. 1752), received a commission. It is, however, noticeable that the year 1756 shows the smallest number of matriculations throughout the University during the eighteenth century, and there were only thirteen entries at Brasenose, which meant, as in the year 1745, that more men took up the profession of arms. But eventful as these years were in the world's history, it may truly be said that, as of nations, so of colleges, happy is the one that has no history, and Brasenose from 1745 to 1770⁸ must have been in an exalted state of felicity.

*The Seven
Years'
War,
1756-63.*

¹ Mon. III, p. 42.

² Mon. IV, p. 34.

³ Mon. III, p. 43. An oak floor was laid in the Hall in 1909.

⁴ Mon. IV and V, *passim*.

⁵ July 11, 1757, it was decided that the next time the rectories of Limehouse and Stepney became vacant, they were to be separated and the income of Stepney increased.

May 7, 1758, the income of the rectory of St. Dunstan's was augmented.

1765, many incomes of rectors increased.

Jan. 20, 1790, all the livings unenclosed at their becoming vacant to be valued at the College expense; incomes of all College livings to be increased up to £250.

June 28, 1793, certain livings made up to £300 *de claro*.

⁶ O. H. S., xli, 276.

⁷ *B. N. C. Reg.*, p. 346.

⁸ But compare the romantic story of Thomas Clack (matric. 1763), *B. N. C. Reg.*, p. 358.

William
Gwyn,
1751-70.

Dr. Yarborough died at Bath on April 24, 1770, and in his will he once again remembered the needs of his college, leaving £350 for the use of the Library.¹ He was succeeded by William Gwyn,² as thirteenth Principal, on May 10. This man was the son of a Lancashire clergyman, and had matriculated at Brasenose at the early age of fifteen in 1751. He was elected to an Hulmeian Exhibition in 1754, and five months after taking his Bachelor of Arts degree was appointed a Founders' Fellow on July 4, 1757. He was not spared long enough to prove himself a capable principal, for on August 17, following his election, he died under somewhat remarkable circumstances.

'He had arrived at Brighton on Friday morning, 17 Aug. 1770, and after ordering dinner by two o'clock went to take a walk, but never returning alive, on Sunday 19 Aug., his body was discovered by some boys lying flat on his face by the edge of a path-way west of the town close to Brighton churchyard among standing barley. There were several guineas, a pocket-book &c found about him. The body was taken to the New Ship and examined by the principal physician of Brighton, Dr. Awsiter, who gave it as his opinion that Mr. G. fell in a fit and was suffocated for want of timely assistance.'³

Ralph
Cawley,
1738-77.

The Principal's sudden death in vacation made it necessary for the Fellows to meet earlier than usual, and on September 4 they elected Ralph Cawley⁴ as fourteenth Principal. He was many years senior to Mr. Gwyn, having matriculated in 1738, thirteen years before the latter came to the College. On January 21, 1744³, he had been elected Fellow, and for the rest of his life showed the greatest generosity to his College.⁵ He was the first Principal to live in 'an elegant house lately fitted up at considerable Expence'⁶ on the High Street; for up to that time the Principal had lived in Old Lodge⁷ in some-

¹ Mon. IV, p. 37.

² *B. N. C. Reg.*, p. 344.

³ Quoted in the *B. N. C. Reg.*

⁴ *B. N. C. Reg.*, p. 330.

⁵ Mon. IV, p. 37.

⁶ *The New Oxford Guide* (1775), p. 46.

⁷ An entry in Principal Cawley's Note Book says 'At Mich^s 1771, the Principal left the Old Lodge, and went into the new one—after this, the Old Lodge according to an act of Seniority, was divided and fitted up for the Reception of the Fellows and others.'

what confined quarters. The new lodgings were not built from the ground, but a house near St. Mary's Church was altered and enlarged.¹

This period, however, was marked by something more than mere bricks and mortar. It was a time of agitation, a time when thinking Fellows were doing their best to propose schemes² to remedy the scandalous abuses and utter slackness exhibited in the different examinations for degrees.³ The one really great and sound reform that has been preserved sprang from the brain of Mr. John Napleton (matric. 1755).⁴ He was Vice-Principal of Brasenose 1769-70, and Senior Bursar from 1771-6. It was during his period of office as Bursar that he published, in 1773, *Considerations on the Public Exercises for the First and Second Degrees in the University of Oxford*. He pointed out very carefully that some reforms were necessary because 'we have no distinction of Classes, the Degree itself, if he obtain it in any

Mr. Napleton's proposed reform,
1773.

¹ Mon. III, pp. 40-3, Plate XXVII. See photograph in the Senior Common Room. Another alteration that was made during Cawley's rule was the numbering of the staircases; cf. Mon. III, pp. 43-4.

² Some of these proposals were, of course, purely jocular, as the scheme brought forward in 1782, containing four main points:—(1) Fellows' incomes to be reduced and All Souls 'which is useless' to be abolished; (2) no young man to be allowed a barber to disfigure the natural comeliness of youth; (3) tutors and professors were not necessarily to be parsons; (4) examinations were to be private, 'that no boy having dull parts should be exposed to the sneer of his comrades.' Cf. O. H. S., xvi, p. 430.

³ Godley, *ut supra*, pp. 178, 179, says, 'Examinations for the B.A. degree were almost social functions, held not, as now, at fixed times, but so as to suit the convenience of the individual candidate and the examiners whom he chose. "The examiners and the candidate often converse on the last drinking bout or on horses, or read the newspaper or a novel, or divert themselves as well as they can till the clock strikes eleven, when all parties descend and the *testimonium* is signed by the masters." . . . John Scott (Lord Eldon) took his B.A. degree in 1770, after an examination in Hebrew and history: he is said to have been asked two questions only—"What is the Hebrew for *the place of a skull*?" and "Who founded University College?" The story is related by Cambridge men and disbelieved . . . by Oxonians: but whether true or false, it is not *a priori* improbable, and Oxford need not strain at a mere gnat like this.' Cf. Gibbon, *Autobiography*; *The Correspondence of the first Earl of Malmesbury*; Adam Smith, *Wealth of Nations*, bk. v, ch. i; and Twiss, *Life of Lord Eldon*.

⁴ *B. N. C. Reg.*, p. 350.

way, is equally reputable.'¹ He then asked, 'Can it in reason be expected that a student shall take any pains . . . when his audience consists solely of his Fellow Disputant?'² 'The principal reason,' he stated, 'of the decline of our Academical Exercises is that they are become TOO PRIVATE.'³ He therefore proposed for the degree of Bachelor of Arts:—

I. 'To provide that in the first part of the DISPUTATIONES IN PARVISO, which is usually called GENERALS, be duly superintended *a principio ad finem*: to reduce the length of them to one hour; and to hold them all at one particular time. To omit the latter part commonly called JURAMENTS.'

II. 'To provide that the Disputations called ANSWERING UNDER BACHELOR, be duly superintended either the whole or at least the greater part of the time.

'To add to the preceding Exercises TWO DECLAMATIONS, one in English, the other in Latin, to be delivered publicly in the Theatre in Oct. Term.'

III. 'To hold the EXAMINATION annually in the Lent Term . . . to ascertain and enlarge that part of the Examination which respects Mathematical Learning: to make the Historical Parts of the New Testament one of the Books prescribed by the Statute; and to substitute the Articles of the Church of England: and lastly to assign an honourable distinction to such Candidates as excel.'

Mr. Napleton also proposed to reform the examinations for the M.A. and B.C.L. degrees.⁴ The practical outcome of his scheme was that there should be three classes, the third being composed of those who, to use modern terms, 'satisfied the examiner'.⁵ Mr. Napleton's⁶ plan was not adopted, and all reform had to wait until the 'new Examination Statute', the parent of the present system, was passed in 1800.

Four
Brasenose
celebrities.

While Mr. Napleton was exercising a considerable influence towards hard work,⁷ there were four men who were contemporaries at the College and worthy of note. The first

¹ Napleton, *Tracts* (edition 1805), p. 27. ² *Ibid.*, p. 31. ³ *Ibid.*, p. 33.

⁴ *Ibid.*, pp. 75-6.

⁵ Godley, *ut supra*, p. 180.

⁶ Mr. Napleton's attack did not win him sufficient popularity to gain the post of Camden Professor of Ancient History. On December 2, 1773, there was a most spirited contest for this chair, and it was won by Mr. William Scott, afterwards Lord Stowell. The voting was as follows:—Mr. Scott, 140; Mr. Bandinel, 115; Mr. Napleton, 99. Cf. O. H. S., xli, p. 326.

⁷ It was probably due to Napleton's influence that Hugh Morgan (matric. 1769, *B. N. C. Reg.*, p. 366) won the English Essay prize in 1774, his subject being 'Gaming'. He was the first Brasenose man to win this prize.

was Ralph Churton¹ (matric. 1772). He was born in 1754 in the parish of Malpas, Cheshire, and was educated at the grammar school of that town, and found a friend and patron in its rector, Dr. Thomas Tomson. It was largely due to the kindness and generosity of this man that Churton was able to come to Brasenose. He became devotedly fond of his college, and spent much of his time researching into the history of its founders and of its ever-memorable benefactor, Alexander Nowell.² He was elected a Frankland Fellow in 1778, and was Bampton lecturer in 1785.³ On December 20, 1808, the Bursars were 'authorized to present Archdeacon Churton with the sum of £100 in consideration of his literary zeal and labour so assiduously devoted to the memory of the Founders and Benefactors'.⁴ Henry Addington⁵ (matric. 1774) was a contemporary of Ralph Churton. He was the son of Dr. Anthony Addington, who had been physician to the great Lord Chatham. After some years at Winchester, he came to Brasenose and took his B.A. degree in 1778. At first he became a barrister, but quitting the Bar for politics he was returned as member of Parliament for Devizes in 1783. From 1789 to 1801 he was Speaker of the House of Commons; and upon Pitt's resignation, over the Catholic Emancipation question, he was invited to form a ministry. His administration, which was entirely undistinguished, except for the Treaty of Amiens in 1802, came to an end in 1804. In 'the year of Trafalgar' he was created Viscount Sidmouth, and between 1812 and 1821, as Home Secretary, he earned the bitterest hatred of the working-class owing to his coercive measures.⁶ The third member of this famous quartette was Benjamin Hobhouse⁷ (matric. 1774). He was born in 1757, and was educated at Bristol. After leaving Brasenose he proceeded to the Bar, and took up with avidity the politics

¹ *B. N. C. Reg.*, p. 369.

² Mon. X, p. 25.

³ These lectures had been started in 1780, though the bequest had been made in 1751.

⁴ *B. N. C. Reg.*, p. 369.

⁵ *Ibid.*, p. 371.

⁶ His life was written by Dean Pellew in 1847.

⁷ *B. N. C. Reg.*, p. 372. Not to be confused with Henry Hobhouse (matric. 1793).

of his time. He was first returned for Bletchingley in 1797, and then for the notorious borough of Grampound in 1802, and for the scarcely less notorious Hindon in 1806. Under his old College friend, Addington, he served as Secretary to the Board of Control in 1803; and two years later was chairman of the Committee of Supplies. He was created a Baronet in 1812, and died on August 14, 1831. John Latham¹ (matric. 1773) formed the last of the group. He was born in 1761, and after a brilliant career at the University, he became Physician to the Prince of Wales, and President of the College of Physicians. He was a voluminous writer on medical and scientific subjects, while at the same time he attained an enormous private practice at his residence in Bedford Row. The College so respected this great doctor that they thought him worthy of being commemorated by a portrait, which is hung in the Hall.²

*The
War of
American
Independence,
1775-83.*

The names of Brasenose men who became celebrated ought not to preclude the mention of Brasenose *minora sidera* who also played a part, however humble, in the great events of the world :

‘And passed content, leaving to us the pride
Of lives obscurely great.’³

While Addington and his contemporaries were imbibing a knowledge of classics and mathematics within the quiet walls of the College, the outer world was stunned by the clash and din of arms, caused by the unfortunate parsimony of the American colonists on the one side, and the pig-headedness of George III and his advisers on the other. Two Brasenose men, at any rate, took some share in this American War of Independence. Thomas Gildart⁴ (matric. 1774) was a captain in Colonel Tarleton’s Legion which won such renown at Camden and elsewhere⁵; while John Harries⁶ (matric. 1774) was a captain of the 33rd Foot, and fell, fighting bravely for his

¹ *B. N. C. Reg.*, p. 372.

² Mon. VII, p. 21.

³ Newbolt, *The Island Race* (edit. 5), p. 26.

⁴ *B. N. C. Reg.*, p. 372.

⁵ Hunt, *Political History of England*, 1760-1801, p. 220.

⁶ *B. N. C. Reg.*, p. 372.



Dr. John Latham
President of the Royal College of Physicians
(matr. 1773)

King and country, at the battle of Brandywine, on September 11, 1777.

The external bickerings of nations had their counterpart *Domestic disputes.* in the internal quarrels of the Common Room. Some time before Principal Cawley died, old age and failing health prevented him from keeping the peace among the younger members of the governing body. At the end of 1776 there is a long record of disputes between the senior members of the College concerning the completion of the audit and the election of officers. As the Principal was too ill to settle the matter, the quarrels grew worse and worse, until at last an appeal was made to the Visitor.¹ Before his decision came, however, the elections were concluded on December 28, and fortunately the Visitor's injunctions on January 3, 1777, merely confirmed them.²

Ralph Cawley died on August 31, 1777, and was buried in the ante-chapel, where now his window, originally for the east, forms the western light. He was succeeded by Thomas Barker³ (matric. 174 $\frac{4}{5}$), who was elected on September 14. He was the brother of the butler of Brasenose, a respectable old man who lived in a small house in what was then Cat Street.⁴ He had been elected to a Founders' Fellowship on January 27, 17 $\frac{49}{50}$, and had served as Senior Proctor in 1761. In the same year he had become a member of the little known political club, the *Red Herring*,⁵ which existed as far back as 1694, and was composed of senior members of the University.⁶ During Barker's period of rule a far more interesting club was founded, which is now known as the Phoenix Common Room, and which has had the longest life of any social club in the

¹ John Green, Bishop of Lincoln.

² V. P.'s Reg.

³ *B. N. C. Reg.*, p. 338.

⁴ Cox, *Recollections of Oxford*, p. 161.

⁵ 'Feb. 24. 1761. Mr. Barker of Brazenose College was unanimously elected a member of this Club. Rd. Scrope. Sec.'

⁶ Meetings were held every Tuesday night at the rooms of each member in turn, and they discussed politics between seven and nine o'clock. The anniversaries of the Club were celebrated at the King's Head Tavern, High Street, or at the 'Turl'. Each member was fined for non-attendance, and these fines were spent at the anniversary 'as usual'. See an interesting octavo volume of MS. in the possession of Mr. Falconer Madan, which contains a complete list of members, rules, and fines; it ends in 1761.

University. It immediately attracted a certain amount of attention, and it has embraced within its circle some of the most brilliant men that Brasenose has ever produced.¹

*The
'Whippiad'.*

The year 1783 is remarkable for the matriculation of two men who afterwards made names for themselves, but not of an enviable character. The first of these was John Tench,² who was Proctor in 1800, and Regius Concionator at Whitehall in 1809. He must have been a very extraordinary character, and 'was at once pronounced to be an odd fish, when he came up after some years' absence from Oxford, wearing a vulgar-looking, powdered one-curved wig, speaking with a strong Lancashire dialect, and reading with a voice of thunder: indeed his enunciation of the oaths and exhortations on Degree-days was an awful infliction on the drum of one's ear'.³ Henry Halliwell was a contemporary of Dr. Tench; he was elected to a Fellowship on February 26, 1790, served as Junior and Senior Bursar, and was commonly known as 'Dr. Toe'. It was, indeed, under this title that he became the central object of Heber's humorous poem, the *Whippiad*.⁴ The way in which Henry Halliwell earned his unenviable notoriety was somewhat unpleasant.

'A certain friend of Heber's,⁵ Bernard Port,⁶ was found cracking a four-horse whip in the quadrangle, to the immense disgust of a certain doctor, a fellow and tutor, and at that time also dean of the College, commonly called Dr. Toe from a defect in one of his feet. This gentleman had made himself obnoxious to most of those of his own College by his absurd conduct and regulations. On the following day Mr. Port again cracked the whip in the quadrangle, whereupon the doctor issued from his rooms in great wrath, and after remonstrating with Mr. Port and endeavouring to take the whip from him, a scuffle ensued in which the whip was broken,

¹ See *Social Life*, Pt. ii, p. 61.

² *B. N. C. Reg.*, p. 384.

³ Cox, *ut supra*, p. 203. Mr. Hornby in a marginal note says 'one cd hear him reading in chapel as far off as the archway into the quad . . . he wore, as Hodson expressed it "nasty fustian breeches and filthy worsted stockings".'

⁴ *Blackwood's Magazine* (1843), vol. lxiv.

⁵ Reginald Heber, afterwards Bishop of Calcutta, cf. *B. N. C. Reg.*, p. 406. It is rather curious that they should have known each other intimately, for B. Port took his M.A. degree a fortnight before Heber matriculated.

⁶ *B. N. C. Reg.*, p. 398.

and the doctor overpowered and thrown down by the victorious Port, who had fortunately taken his degree of Master of Arts.’¹

The famous *Whippiad* begins in the true heroical style :

‘Where whiten’d Cain the curse of Heaven defies,
And leaden slumber seals his brother’s eyes,
Where o’er the porch in brazen splendour glows
The vast projection of the mystic nose,
Triumph erewhile of Bacon’s fabled arts,
Now well hung symbol of the students’ parts ;
’Midst those unhallow’d walls and gloomy cells
Where everything but Contemplation dwells,
Dire was the feud our sculptural Alfred saw
And thy grim bearded bust Erigena.’

‘Dr. Toe’ then threatened Dr. Port with a severe imposition,² but Port wrestled on, until suddenly the end came.

‘Till now the Dean with throat extended wide,
And faltering shout, for speedy succour cried
To them who in yon grateful cell repose
Where Greenland odours feast the stranger’s nose.—
“Scouts, porters, shoe-blacks, whatsoe’er your trade,
All, all attend, your master’s fist to aid !”
They heard his voice and trembling at the sound,
The half-breech’d legions swarmed like moths around ;
But ah ! the half-breech’d legions, call’d in vain,
Dismay’d and useless, fill’d the cumber’d plain ;
And while’for servile aid the Doctor calls,
By Port subverted, prone to earth he sprawls.’

Reginald Heber added a somewhat wicked footnote:—
“*Procumbit humi bos.*” This is not the first time the Doctor has been overcome by *port*.’ Mr. Buchan has supplied another anecdote about this unfortunate ‘Doctor Toe’ :—

‘He is lampooned by Charles Kirkpatrick Sharpe, and a letter in the same volume of the *Maga* adds still another page to his fame. “As an appendage to the *Whippiad*,” says the writer, “the following *jeu d’esprit*, attributed to the same pen, may not be unacceptable. The young lady to whom Dr. Toe’s attentions were supposed to have been paid was

¹ *Blackwood’s Magazine* (1843), vol. lxiv.

² See Pt. ii, *Social Life*, p. 41.

a certain Miss Bell H . . . , who eventually jilted him and married her footman, a circumstance which gave rise to the following stanzas :—

‘Twixt footman John and Doctor Toe
A rivalry befell,
Which of the two should be the Beau
To bear away the Belle !

‘The Footman won the lady’s heart
And who can blame her? No man.
The *whole* prevailed against the *part*,
’Twas *Foot-man versus Toe-man*.’¹

William
Cleaver,
1757-1809.

Long before this event had taken place Dr. Thomas Barker had died,² and was succeeded on September 10, 1785, by William Cleaver.³ He had matriculated at Magdalen College in 1757, and was elected to a Darbie Fellowship at Brasenose on October 22, 1762. Twenty-two years later he was made prebendary of Westminster, and was promoted to the Bishopric of Chester in 1788, whence he was translated to Bangor in 1800 and to St. Asaph in 1806.⁴ He has been described by De Quincey as ‘a wise, temperate, and successful reformer ; a splendid pluralist, armed with diocesan thunder and lightning’.⁵ He was ‘a tall man with good features and a stately gait’ ; he looked (as the old Brasenose porter used to say) ‘quite the bishop’. The *effect*, too, was not a little increased by a habit of walking with both his hands upon his chest, and these hands, as in the portrait, made conspicuous by gloves of bright *Bishop’s purple*.⁶

¹ Buchan, *ut supra*, pp. 65-6.

² That Principal Barker took some interest in the history of the College is shown by a letter of his thanking Lord Dacre for a drawing of the ancient arch and door of Brasenose Hall at Stamford. ‘The beauty of the drawing itself as well as the relation it bears to the College in Oxford will always render it a valuable possession to the Society.’ Hist. MSS. Com. Rep., xiii. App. 4.

³ *B. N. C. Reg.*, p. 352.

⁴ There is a fine portrait of Bishop Cleaver in the College Hall, painted by John Hoppner. It was engraved in mezzotint by James Ward between 1800 and 1806.

⁵ Quoted in Mon. VII, p. 20.

⁶ Cox, *ut supra*, p. 159. ‘In 1768, Mr. Cleaver . . . offered himself as a candidate for the office of Librarian to the Bodleian, and was opposed by Mr. Price of Jesus College. The contest was so close, that after a long polling in Convocation Mr. Price was elected by a *majority of only one vote*.’



Dighton's Caricature of Bishop Cleaver, Principal of
the College, A.D. 1808
(entitled 'A View from Brazen-Nose College')

During his period of office Brasenose seems to have been a very expensive college, and the Principal himself was known to declare that 'he hated a college of paupers'.¹ Nevertheless, he was evidently most popular and respected, for on November 1, 1809, it was resolved to present him with a piece of plate 'in recognition of the zeal, talent, and integrity with which he has presided over the interests of the College for 24 years, and the effects of which are testified by an unexampled increase in its members, its revenue, and its fame.'²

Bishop Cleaver undoubtedly attracted many men of considerable intellectual capacity to come to the College. In 1787 Frodsham Hodson³ matriculated, and ultimately succeeded Cleaver as Principal. Hodson had the 'rare advantage of a good figure, handsome countenance, and winning address';⁴ and had a most brilliant career as an undergraduate. He took the degree of Bachelor of Arts on January 14, 1791, and in the following May was elected as Hulmeian Exhibitioner. In 1792 he won the English Essay prize, his subject being 'The influence of Education and Government on National character.' He became a Founders' Fellow on October 28, 1794, and from that time served the College with the greatest loyalty. It was of this man, in later years, that Mark Pattison tells the now familiar story, and says:—'After one Long Vacation Hodson drove the last stage into Oxford with post-horses. The reason he gave for this piece of ostentation was "that it should not be said that the first tutor of the first College of the first University in the world entered it with a pair".'⁵

In the year that Frodsham Hodson took his B.A. degree, Earl Temple,⁶ son of the Marquis of Buckingham, matriculated

*Frodsham
Hodson,
1787-1822.*

*Richard
Heber
(matric.
1790).*

¹ Buchan, *ut supra*, p. 127.

² *B. N. C. Reg.*, p. 352. During Bishop Cleaver's term of office he occasionally ordained men in the College Chapel. Cf. the case of Robert Potter (matric. 1792) who was ordained by the Principal in 1799.

³ *B. N. C. Reg.*, p. 388.

⁴ Cox, *ut supra*, p. 193.

⁵ Pattison, *Memoirs*.

⁶ *B. N. C. Reg.*, p. 394. Cf. Hist. MSS. Com. Rep. 1894, I, Pt. ii, p. 239. The Marquis of Buckingham, writing to Lord Granville on December 13, 1791, says: 'Your messenger followed me to Oxford, where I have passed the two last days, having at length settled my boy at Brazenose.'

at Brasenose, and earned some fame in after years in the field of politics and affairs of state. Richard Heber,¹ elder brother of the more famous Reginald, was a contemporary of Hodson and of Lord Temple.

‘He was extraordinarily precocious, and at seventeen is said to have begun an edition of Persius. He graduated B.A. in 1796, and M.A. the year later. In 1792 he had published an edition of Silius Italicus and had completed part of an edition of Claudian. . . . His chief title to fame rests on his enormous collection of books, of which, at his death, he had eight houses full—two in London, one at Hodnet, one in Oxford High Street, others at Paris, Brussels, Antwerp, and Ghent. There seems to have been altogether about 146,827 volumes, besides countless pamphlets and loose papers . . . “No gentleman,” he used to say, “can be without three copies of a book—one for use, one for show, and one for borrowers.” The “fiercest and strongest of all bibliomaniacs”, the poet Campbell called him; and Dibdin, in his grandiloquent way, styled him “the Atticus who united all the activity of De Witt and Lomenie, with the retentiveness of Magliabecchi and the learning of Lelong”. Scott, in a letter to Ellis, talks of “Heber the magnificent, whose library and cellar are so superior to all others in the world”.’²

Reginald
Heber,
Bishop of
Calcutta.

Richard Heber’s half-brother Reginald earned for himself a far wider reputation. He matriculated at Brasenose in 1800.³ ‘He was then a gay young fellow, a wit and a satirist, and burning for literary fame.’⁴ His career as an undergraduate was most remarkable; in his first year he won the Latin Verse Prize with a *carmen seculare* on the opening of the new century.⁵

‘Two years later he won the Newdigate,⁶ with his *Palestine*, a poem which Dr. Crotch set to music in 1812, and which has often been reprinted. It was probably the most successful prize poem ever written, and to us of to-day . . . it seems strange to hear of the Sheldonian crowded not only at the Encænia but at the rehearsal and the audience crazy with delight.’⁷ . . . The Newdigate Poem is associated with a story

¹ *B. N. C. Reg.*, p. 392.

² Buchan, *ut supra*, cf. Scott, *Marmion*, Intro., Canto VI.

³ *B. N. C. Reg.*, p. 406.

⁴ Scott, *Journal*, ii, p. 250.

⁵ No Brasenose man had won this prize between 1769 and 1800.

⁶ Reginald Heber was the first Brasenose man to win this.

⁷ Buchan, *ut supra*, p. 58. Cf. Cox, *ut supra*, p. 48. He says: ‘there was also such a peculiar charm in his recitation’; but in the Brasenose Library copy, in a marginal note, George Hornby (matric. 1808) says this is ‘not true for his

in which Sir Walter Scott plays a part. . . . He breakfasted with . . . Reginald in his rooms in Brasenose,¹ where the young man read to the now famous writer the verses which had gained the prize.’²

Lockhart says:—

‘Scott observed that in the verses on Solomon’s Temple, one striking circumstance had escaped him, namely, that no tools were used in the erection. Reginald retired for a few minutes to the corner of the room, and returned with the beautiful lines³:—

‘No hammer fell, no ponderous axes rung,
Like some tall palm the mystic fabric sprung.
Majestic silence!’⁴

Heber, having gained an All Souls Fellowship, left Oxford, and some twenty years later died at Trichinopoly, worn out by his exertions on behalf of his diocese of Calcutta.

Just before Heber brought such lustre upon Brasenose College several men matriculated who afterwards took an active part in the service of their country during the Revolutionary and Napoleonic wars. The first of these was John Thoyts⁵ (matric. 1789), who became a lieutenant-colonel of the Horse Guards Blue, and was taken prisoner at the battle of Waterloo. Samuel Briscall⁶ (matric. 1797) did not actually engage in fighting, though he witnessed a great deal, for he became chaplain to the Duke of Wellington and served with him throughout the Peninsular War, was present at Waterloo, and accompanied the Duke to Paris in 1815. A contemporary of his, Edmund Henry Joddrell⁷ (matric. 1798), commanded the 2nd Grenadier Guards, fought at Barossa and elsewhere in the Peninsula; while another, Henry William

The Revolutionary and Napoleonic wars.

recitation was remarkably bad as I was told by those who heard him. His friends were in despair: my brother [Edward Thomas Stanley Hornby (matric. 1800)], who was then at B. N. C. and Ric. Heber, his brother, were constantly at work to improve him.’

¹ One pair left No. VI; one window overlooks ‘Heber’s Tree’ in Exeter Gardens.

² Buchan, *ut supra*, p. 59.

³ Lockhart, *Life of Scott* (1837), i. 374.

⁴ The printed editions run:—

‘No workman steel, no ponderous axes rung;
Like some tall palm the noiseless fabric sprung.’

⁵ *B. N. C. Reg.*, p. 391.

⁶ *Ibid.*, p. 402.

⁷ *Ibid.*, p. 402.

Davenport¹ (matric. 1798), also took up the profession of arms. It is reasonable to suppose that the military instincts of these two men had been aroused in the year of their matriculation, for at that time 500 members of the University enrolled themselves in a volunteer corps, or 'Armed Association'; and in their blue coats faced with white, their duck pantaloons, and short black gaiters, presented a very imposing spectacle on Port Meadow when reviewed by the Duke of York.² Besides these undergraduates to take his Majesty's commission there were Charles Delact Sibthorpe³ (matric. 1801), who served in the 4th Dragoons during part of the great struggle in Spain; Charles Hervey Smith⁴ (matric. 1801), who attained the rank of colonel; and Simon George Newport⁵ (matric. 1802), who afterwards became lieutenant-colonel of the 10th Hussars.

Sir Tatton Sykes, an example of Brasenose character.

Of all Brasenose men at this period, Sir Tatton Sykes⁶ (matric. 1788) is probably the most typical of the College, and possessed of those characteristics that the College has at all times delighted to honour. Mr. Buchan has well said of him:

'Hearty, kindly, a prince of sportsmen and good fellows, he was one of the last members of an ancient and honourable community, the old English country gentlemen. He was born in August, 1772, and came to Brasenose from Westminster School. Unfortunately no tradition of his College life is preserved, but his lot fell in the happy days of abuses when men used the College as a hunting box, and took their degrees as a matter of course. . . . When he succeeded to his estates he settled down to the life of a country gentleman, and gave himself to agriculture and his well-beloved sports. . . . His feats on horseback almost pass belief . . . he once rode from Sledmere to Aberdeen to ride his friend the Marquis of Huntly's "Kutusoff", and when the race was over, started off home again without waiting to dine, and slept the first night at Brechin. He took six days to the performance, and the distance there and back was not much off 720 miles. . . . Yorkshire regarded him as her peculiar pride,

¹ *B. N. C. Reg.*, p. 403.

² Cox, *ut supra*, pp. 33-4. The University and Colleges had already subscribed funds for the support of the nation in the great struggle with revolutionary France. Cf. V.P.'s Reg., April 11, 1794, resolved 'ut ad internam Defensionem summa centum et quinque librarum (£105) e communi collegii cista conferatur'.

³ *B. N. C. Reg.*, p. 408.

⁴ *Ibid.*, p. 408.

⁵ *Ibid.*, p. 410.

⁶ *Ibid.*, p. 390.

and it used to be said that natives of that county had three things which they wished all visitors to see. The first was York Minster, the second Fountains Abbey, and the third without fail Sir Tatton.'¹

With this hero of sport and agriculture it would be well to close these annals. His name is still a household word in his own county, and though long forgotten in Brasenose College, something of his character still remains among Brasenose men. Sturdy self-reliance, dogged determination in the Schools, upon the playing-fields, and above all upon the river, and an honest endeavour to uphold the long and grand traditions of a noble society, still remain the great ideals of all those men who for a brief but happy spell of their lives passed in and out beneath the cherished Brazen-Nose. *Brasenose ideals.*

¹ Buchan, *ut supra*, pp. 133-5. Mr. Buchan has several other good stories about this remarkable 't'owd squoire'.

PART II

BRASENOSE COLLEGE SOCIAL LIFE

1690-1803

*The
College
buildings.*

THE features of Brasenose College as a building changed hardly at all throughout the eighteenth century. The great alterations had been made some fifty years before, and except for the painting of the Sun-dial and the erection of 'Cain and Abel' in the quadrangle, very little was done to its external aspect. Fortunately there is on record a description of the College, and the quaint wording, together with the fact that it illustrates the effect the appearance of the College had on the eighteenth-century mind makes it worthy of quotation :

'The Refectory itself is neat and convenient, adorned with the Pictures of the principal Benefactors, and very good Paintings on Glass of the two Founders.¹ It stands on the South side of the first Quadrangle. In the Center of which is a Statue of *Cain* and *Abel*.

'Through a Passage on the Left-hand of the Gate of the first Quadrangle we enter the second. This is a more modern Structure, and is supposed to have fallen from the Hands of that great Architect Sir *Christopher Wren*.²

'A Cloister with a Library over it forms the East Side, the Chapel the South. The Area is disposed in the form of a Garden planted with flowering Shrubs.

'The Library is rather calculated for real Use, than ornamental Shew. The Chapel has a Neatness and Simplicity becoming the House of God. If these may be considered as the Parents of Beauty, this Edifice has very strong Pretensions to it. The Roof and Altar-Piece and East-Window are each respectively fine.

'The Ante-Chapel has an elegant Monument to the Memory of the late Principal Shippen, who during his presiding over the College had the utmost Regard to its Interest. His Bust gives the strongest Features of his Face.'³

¹ Mon. VII, Plates II and III.

² This is quite erroneous.

³ *A New Pocket Companion for Oxford* (1781), pp. 45-6.

Although Dr. Shippen had 'the utmost Regard to its Interest', it must be allowed that during his rule and for years after discipline was never rigidly exacted. In 1718,¹ it seems that undergraduates could knock in as late as one or two o'clock in the morning; and the versifier of the day paints a picture of an undergraduate which shows, amongst other things, a great lack of discipline:

The character of an eighteenth-century undergraduate.

'I rise about nine, get to Breakfast by ten
Blow a Tune on my Flute, or perhaps make a Pen;
Read a Play 'till eleven, or cock my lac'd Hat;
Then step to my Neighbours, 'till Dinner to chat.
Dinner over, to *Tom's*, or to *James's* I go,
The News of the Town so impatient to know;
While *Law*, *Locke*, and *Newton*, and all the rum Race,
That talk of their Modes, their Ellipses, and Space,
The Seat of the Soul, and new Systems on high,
In Holes, as abstruse as their Mysteries, lie.
From the Coffee-house then I to Tennis away,
And at five I post back to my College to pray:
I sup before eight, and secure from all Duns,
Undauntedly march to the *Mitre* or *Tuns*;
Where in Punch or good Claret my Sorrows I drown,
And toss off a Bowl "To the best in the Town":
At One in the Morning, I call what's to pay,
Then Home to my College I stagger away,
Thus I tope all the Night, as I trifle all Day.'²

The College authorities did their best in 1731 to remedy some of the abuses of Oxford life, and it was resolved on December 18 of that year, 'quod quilibet scholaris ab admissione in collegium donec ad gradum aliquem promotus fuerit, cameram intra collegium continuô habebit, sub pœna quod si quis in hoc deliquerit, nullis collegii Privilegiis aut beneficiis fruatur'.³ There are, however, no further references in the Vice-Principal's *Register* to any attempts to enforce discipline for thirty-six years. On March 18, 1767, there is an order that the gate should be kept closed until after the chapel service every morning,⁴ and from this time onwards there are

Attempts to check extravagance.

¹ Wordsworth, *ut supra*, p. 372. Bishop Cleaver was much more strict, and he insisted on the College gate being locked at 8 p.m. Cf. O. H. S., xvi.

² *The Oxford Sausage* (1764).

³ V. P.'s Reg. C.

⁴ *Ibid.*

numerous instances of the dons attempting to check undue licence and too great extravagance. Thus, on April 9, 1767, the Cook is prohibited from trusting any undergraduate or Bachelor for any dinner or supper not allowed in College Commons. But this rule seems to have broken down, for on November 23, 1779, the Cook was very severely reprimanded and warned for several instances of gross misbehaviour, in particular, for raising the price of Commons without authority.¹

*The
enforce-
ment of
discipline.*

At that time it was a common thing for men to ride up to London, or to go by Haynes' flying coach, which took one day in summer and two in winter.² This the College was determined to stop, and, at last, on February 11, 1768,³ it was resolved that leave should not be granted to any one till he has specified the Principal's permission to the Senior Domus and his Tutor, and has also obtained his Tutor's *exeat* upon paper, to be duly delivered to the Butler for the notice of the Bible Clerk.⁴ A fortnight later the dons insisted on a reformation of manners, and the Vice-Principal⁵ was especially instructed to see that the men when walking in the College quadrangle paid the usual and proper respect to the Fellows, which they had neglected to do for some time past. The Vice-Principal, however, evidently failed to carry out his instructions, for on May 22, 1775, it was resolved that all Scholars, whether Bachelors or Undergraduates, should show respect to the Principal and Fellows, by 'de via decedendo caput aperiendo, et reverenter salutando quando convenerint et nondum graduatis praesertim intra muros collegii aperto capite assistendo et incedendo quamdiu Dominus Principalis

¹ V. P.'s Reg. C.

² Wordsworth, *ut supra*, p. 405.

³ V. P.'s Reg.

⁴ The Bible-Clerk's actual stipend was £1 12s. 8d., but in 1773 he received about £54 7s., which was made up from various perquisites, as a Christmas-box of 13s. 4d., a guinea when the 'passing-bell' was rung, and the same sum on the election of a Fellow. Principal Cawley, *ut supra*, says that the Bible-Clerk 'of late Y^{rs} . . . in Consideratⁿ of his Extraordinary Trouble & Attendance has been allow'd the Absence-Money of Nowell's Scholars even for those Weeks wherein he himself was absent—He has also some scholarship commonly given him'.

⁵ V. P.'s Reg., Feb. 28, 1768.

vel socius aliquis in conspectu maneat',¹ otherwise they would be severely punished by fine² or imposition.³

The College possesses an interesting document of about the year 1770, which is entitled *Notes for the Vice-Principal*,^{The powers of the Vice-Principal.} containing a very useful account of the disciplinary powers of that official. With regard to divine service in chapel, he is to have the appointment of everything, though, as the document remarks, 'it is customary to consult the Principal.' During the service the Vice-Principal has to watch the behaviour of every one, and has the power of punishing all except Masters of Arts. Then, too, he is to fine all absentees, 'and persons tardy,' that is, those 'persons coming in after confession'. The next sentence, however, is somewhat droll, for it says, 'absences in the morning are supposed to be only by Accident.' Dining in Hall was practically compulsory, or at least the Vice-Principal is to see that men are not absent too frequently. 'Absence at afternoon prayers, where the person dines in Hall,' is 'punishable always because it implies too often that he is drinking in his own room'. The Vice-Principal must take every precaution to prevent parties in men's rooms at chapel time, for it will lead to a falling off in attendance. No one is to be out after midnight 'without censure', and all punishments are to be made on Saturday morning, except where it is a case of absence from chapel, then the delinquent is to be called up at once.⁴

As in earlier periods,⁵ so in the eighteenth century, the *Payment of battels and canteen-money.*

¹ V. P.'s Reg., May 22, 1775.

² Principal Cawley's Note Book contains the following entry. 'Mulcts. If any of the young gentlemen or College serv^{ts} misbehave, the Principal, the Sen^r Fellow, or a College Officer, sometimes puts, according to the College-Statutes, a Sconce or pecuniary Mulct on the Offenders Name in the Buttery Book—These pecuniary Mulcts belong to Domus; and as the Jun^r Bursar receives them in Battels, he pays them (when it has been discover'd what they amount to for the whole year) to the Sen^r Bursar in the last Acc^t between them, who is charged with them in his *onus*.'

³ Impositions as punishments were started in 1517, cf. Mon. X, p. 37. In the eighteenth century and up to 1858, they consisted generally of so many lines of Sophocles in Greek and English; but cf. the line in the *Whippiad*:

'Six ells of Virgil shall the crime repair.'

⁴ This document is preserved in the Muniment Room.

⁵ Mon. X, p. 41.

Bursars had great difficulty in getting prompt payment of battels. Thus, on April 5, 1775, it was resolved that if 'any scholar (except M.A.'s) is crossed at the Buttery, and remains so for seven days, on account of negligence or contumacy, he be confined to college, if he has a room in college, for a fortnight, and not go out except by permission of the Principal and Fellows: and if he remains crossed for a fortnight, be rusticated for three months'.¹ To guard against possible debts, the College authorities passed several decrees with regard to Caution money in 1778. On January 28, it was resolved 'that in the future the Bursar inform those who pay caution money that it is not to be repaid by the College unless demanded within 7 years from the date on which the name has been removed from the books'.² On April 7 the Bursar was empowered to apply caution money to unpaid battels, and having done so the defaulter's name was to be removed from the Buttery books; while on December 1, these rules were still further extended so that every Fellow after taking his M.A. or B.C.L. degrees 'should pay £5 to the Bursar for caution'.³ A further decree was issued on May 18, 1787, to the effect that 'if any Bachelor or Undergraduate does not pay his battels within one month after they are issued, "nomen ipsius in Libro Promptuarii stigmatе censorio notabitur"'.⁴

*The
different
kinds of
under-
graduates.*

*The
Gentle-
man-com-
moner.*

Throughout the century there were five kinds of undergraduates—the gentleman-commoner, the commoner, the scholar, the batteler, and the servitor.⁵ The gentleman-commoner was the 'smart' young man of the period, and in 1721 he is described as wearing a silk gown, a flaxen tie-wig, a bully cock'd hat, white stockings, thin spanish-leather shoes,

¹ V. P.'s Reg. Occasionally men were sent down for good, cf. V. P.'s Reg., March 20, 1782.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Principal Cawley, *ut supra*, shows that all these men paid numerous sums to the College for faggot-money, Hall man, promus, library, &c. The Library fees were taken at the time of the B.A. degree and consisted of £1 for commoners and scholars, 13s. 4d. for battelers and servitors. They also paid £1 5s. at the taking of the B.A., M.A., B.D. or D.D. degrees as 'wine-money', which was divided amongst the Principal and Fellows. Up to 1758 every member had to pay a small sum 'for the Benefit of the Poor', which was distributed by the Principal and Junior Bursar.

and ruffles on bosom and wrists. If he were a peer, or the son of a peer, he was in 1770 allowed to wear a gown, that was not necessarily black, with a good deal of gold lace upon it, and a 'mortar-board' with a gilded tuft.¹ The baronet dressed much as the peer, but in his case the gown must be black; while a gentleman-commoner, who was neither a peer nor a baronet, wore a silk gown and a velvet cap.² In all cases the undergraduates wore bands and far longer gowns than they do in modern times; and they were still bound to refrain from 'the absurd and extravagant habit of wearing boots'.³ On May 18, 1787, it was decreed by the Fellows of Brasenose that a gentleman-commoner should pay £30 for caution money,⁴ but if he was born beyond the boundaries of Great Britain he was to pay £50, according to a decree of November 26, 1787.⁵ About the middle of the eighteenth century the gentleman-commoner was under no restraint⁶; but the Brasenose dons were determined to stop this, and on November 9, 1768, 'ordered that in future all Gentleman-Commoners shall write and show up a theme with the other undergraduates'.⁷ As years went by the favours bestowed upon these men were withdrawn, and in June, 1786,⁸ they had two severe blows. Their seats in chapel were henceforth to be appropriated to the Bachelors, and they were to sit below; and no gentleman-commoner in future was to be admitted to the High Table or become a member of Senior Common Room unless he has either taken his M.A. degree or been four years in residence and is a Bachelor of Arts or a Student of Civil Law. Up to 1768 the gentleman-commoners had had their own private servants, who lived in the college garrets. But this was forbidden on October 31, 1768, if these garrets were wanted 'for any scholar, Battler, or servitor, or member who wears a gown in college'.⁹

¹ Godley, *ut supra*, p. 167. 'These barbaric puerilities did not definitely disappear until 1870—one hopes for ever.'

² Ibid. and O. H. S., xli, p. 52.

³ 'absurdus ille et fastuosus publice in ocreis ambulandi mos.' Quoted by Godley, *ut supra*.

⁴ V. P.'s Reg. ⁵ Ibid. ⁶ O. H. S., xli, p. 53. ⁷ V. P.'s Reg. ⁸ Ibid.

⁹ Ibid., cf. December 21, 1769, resolved: 'ut quilibet Baccalaureus Artium et

*The
Scholar
and Exhi-
bitioner.*

The scholar and the exhibitioner led much the same life as they do to-day, though there was a good deal less work and certainly less physical exercise. One thing, however, they had as a donation, which they have no longer, and that was money for their caps and gowns. The College still possesses a receipt¹ of the year 1704, which reads :

Rec^d then of M^r Bursar Freeman² the sum of
fifty shillings due to me for a Gown as being
one of ye Duchess of Somersets scholars, I say
rec^d

by me r^d
[A.] Gartside.³

On December 12, 1781, the Bursar was informed that he was not to allow the Thornhill scholars the usual sum of £3 for cap and gown unless it shall appear that they have resided thirty-two weeks in the year beginning at St. Hugh⁴; and on December 15, 1783, it was decided that the Somerset scholars were still to be allowed a sum for cap and gown, their year beginning on March 25.⁵ It is obvious that the gown and all that it meant was not always treated with the respect that was its due, for Hearne, in April, 1714, says 'there is a scholar now (an undergraduate who wears no gown and never intends it more) that is chief Butler of Brasenose College',⁶ All the scholars, like the other undergraduates, had to pay caution money,⁷ and by a decree of March 14, 1788, any scholar born

nondum graduatus solvat quot annis pro stipendio Famuli sui cubicularis, si sit superioris ordinis commensalis solidos quadraginta duos, sin minus solidos triginta duos: quae quidem summae in Libro promptuarii tum praesentibus, tum etiam absentibus imponantur, a Bursario ita erogandae ut stipendii singuli Minister princeps sive superior dimidiam partem percipiat, dimidiam servus (is quis cui ministraverit) vicarius.'

¹ College Muniment Room.

² *B. N. C. Reg.*, p. 246.

³ *B. N. C. Reg.*, p. 273.

⁴ *V. P.'s Reg.*

⁵ *Ibid.* These Somerset scholars were 'oblig'd to purchase of the College, the Duchess of Somerset's Print for w^{ch} he puts in the Buttery-Book 2s. *Domus* was at the Expence of the Plate & the Monies p^d for the Prints go to the reimbursing her—The Jun^r Bursar receives them in the Batels & pays them to the Sen^r Bursar in the last Acc^t between them.' The Fellows were also bound to purchase for 2s. 6d. the prints of the two founders. Cf. Principal Cawley, *ut supra*.

⁶ *O. H. S.*, xxxiv, p. 335.

⁷ Somerset scholars only paid after 1752.

outside the limits of Great Britain had to pay twice the sum of a native.¹

The batteler and the servitor have both now completely disappeared. The former, by 1780, was no longer under obligation to wait on the commoners; he was still regarded as of an inferior order, but what really distinguished him from the rest was that he 'sized' or bespoke and ate his meals in his own room.² He was liable to pay caution money, and on May 18, 1787, it was declared that a 'battellarius' must give on entrance £10.³ The servitor was the real waiter, and took the place of the present scouts in attending in hall and at other meals.⁴ At the beginning of the century, if not at the end, he lived in the most dismal and squalid surroundings.

'Poor Scraps and cold, as I'm a Sinner
Being all that he can get for Dinner.'⁵

He made a few pence to eke out his frugal fare by writing impositions for the wealthier undergraduates, and this was done at least as late as 1790.⁶

The distinctions which existed between undergraduates at this time also meant that there was great disparity in their incomes. In the year of the accession of George I it has been calculated that £60 per annum was quite enough for a

¹ V. P.'s Reg. This was probably because in 1788 Robert Forrest and Bryan Machey matriculated; the former was born in the East Indies, the latter in Jamaica. Cf. *B. N. C. Reg.*, p. 389.

² O. H. S., xvi, p. 435.

³ V. P.'s Reg.

⁴ At the beginning of the eighteenth century there were only three official College bedmakers or scouts. The other servants were the cook, servant of the cook, the scullion, the Butler and the servant of the Butler, the Common-Room man, the Hall man and his servant, the Barbitonsor, porter, gardener, and servant of the Bursar.

⁵ Quoted by Godley, *ut supra*, p. 116.

⁶ Mr. Godley (pp. 118-19) says: 'while the relations between servitor and scholar or commoner were those of master and man, social separation was quite natural and would not be felt to be invidious: it became odious, when, as later happened, servitorships ceased to be held by sons of "aspiring husbandmen" and such like, and began to attract poor men of a rather higher social grade. These latter inherited the advantages and disadvantages of their humble predecessors, and social deprivations which did no harm to the son of a labourer were naturally felt by poor gentlemen.'

commoner, while just double that sum would be spent by a gentleman-commoner.¹ At the end of the century £150 a year was considered ample for most men,² though there were a few rare instances of men having £300 or £350.³ Difference in age no longer existed in the eighteenth century as it had done in the past. In the reign of Elizabeth there were boys of nine, ten, and eleven⁴; but the average age of the members matriculated in 1690 was 17½ years, the youngest man being sixteen. Exactly a hundred years later the average was 18½ years, and again the youngest was sixteen. Taking two years at random the matriculation lists show the following ages:—

171½. 18. 17. 17. 18. 18. 17. 16. 17. 16. 17. 17. 15. 17. 17. 18. 15.

1798. 18. 19. 18. 17. 19. 18. 20. 18. 17. 17. 22. 18. 18. 15. 18. 17. 17. 19.

So that it is evident that during the eighteenth century the age of undergraduates did not differ so very much from those of modern times.

*Amuse-
ments and
recreations.*

Probably the greatest distinction of all between the past and the present is to be found in the amusements and recreations of Brasenose men. Of football in the eighteenth century we hear little or nothing, though it had been introduced.⁵ Fives, tennis, cricket, and billiards had engaged the attention of a few since about 1660⁶; and card-playing had always the fascination of an illegal game. All through the century the chief recreations were fox-hunting, horse-racing, cock-fighting, and bull-baiting, the last being held at Headington or Carfax.⁷ In 1772, however, cock-fighting and horse-racing were forbidden by statute, 'forasmuch as the unbridled and deadly love of games for a monied stake has in some measure made inroads upon the University itself, whereby the fame and reputation of the University may be stained, from the hearts of young men being set upon horse-racing and cock-fighting.' Apparently there were strange things to be seen

¹ Wordsworth, *ut supra*, p. 414.

² *Ibid.*

³ Cox, *ut supra*, p. 5.

⁴ Mon. X, p. 35.

⁵ *Ibid.*, pp. 35-6.

⁶ Wordsworth, *ut supra*, pp. 666-7.

⁷ As late as 1780, the bull-ring remained at Carfax, and the cock-pit in Holywell. Cf. Wordsworth, *ut supra*, p. 181, and O. H. S., xli, p. 78.

in the streets, and one can imagine that in 1723 Brasenose men flocked 'over against the Theatre' to see a smoking match, in which a journeyman tailor smoked 3 oz. of tobacco, and 'was so sick that 'twas thought he would have died'.¹ In 1751 the amusements sound most peculiar, and the account must surely be satirical. The writer speaks of

'several *gymnastica* constructed for the exercise of our youth and a relaxation from their severer studies. But these are not so much frequented as formerly, especially in the summer; our ingenious gownsmen having found out several *sports* which conduce to the same end, such as *battledore and shuttlecock*, *swinging on the rope*, &c in their own apartments; or in the fields, *leapfrog*, *tag*, *hop step-and-jump*, and among the rest, *skittles*; which last is a truly *academical* exercise as it is founded on arithmetical and geometrical principles.'²

A very popular amusement was riding to London for a wager, and this love of horse-flesh and the excitement of the road drove some daring spirits to the 'high toby'; and Brasenose men must have seen the awful sight of two undergraduates hanged for highway robbery on Gownsmen's Gallows in Holywell.³ For the more studious youth who eschewed the wild pleasures of skittle-playing at Wolvercote, carousing at Wallingford, or gambling in College,⁴ there was always the chance of a quiet visit to the Ashmolean museum. Here, in 1749, at any rate, he could improve his mind by studying, amongst other things, these terrible apparitions: 'the skin of a man stuff'd out', 'man's skull with 5 horns on it', 'monster of a pig with 2 bodies and 8 feet', 'Dodar birds, one of which watches whilst the other stoops down to drink'; and last, but not least, 'a whole whale's skin stuff'd out.'⁵

As the century drew to a close, undergraduate recreations became more rational, and consisted for the most part of fox-hunting with Captain Bertie's hounds,⁶ or rowing and sailing *fox-hunting and rowing*.

¹ O. H. S., xli, p. 68.

² *The Student, or the Oxford and Cambridge Monthly Miscellany* (1751), ii, p. 374.

³ Dr. Routh, of Magdalen College, said he had seen this in his young days.

⁴ O. H. S., xli, p. 78.

⁵ *Oxoniensis Academia* (1749), pp. 156-60.

⁶ O. H. S., xli, p. 79.

on the Isis. The latter form of sport came in about 1776, and by 1790 the boating fraternity had adopted a strange garb, consisting of reefer jackets, trousers, and green leather caps. They sometimes went in 'a gay yacht the Hobby-horse' to Iffley and Sandford, where 'Beckly provides accustomed fare'; and they play a game of quoits 'or rustic ninepins'.

'then once more
We hoist our sail and ply the Oar,
To Newnham bound'.

On another occasion we read of them going

'where a Dame
Hooper yclept, at station waits
For gownsmen whom she aptly freights
In various vessels, moored in view,
Skiff, gig and cutter, or canoe.
Election made, each in a trice
Becomes transformed with trousers nice
Jacket and catskin cap supplied
Black gowns and trenchers laid aside.'¹

From these small beginnings Brasenose achieved great things, but another forty years had to pass away before the College entered upon the period of rowing triumphs that have made the Brasenose boat world-famous.

*Brasenose
in
eighteenth-
century
plays.*

The peculiar name of the College made it an easy butt for eighteenth-century playwrights; and much fun was made of Brasenose men, who were occasionally held up to scorn. Thus in Baker's comedy, *An Act at Oxford*, published in 1704, one of the characters is 'Chum', 'a gentleman-servitor at Brazen-Nose College.' His father was a chimney-sweep and his mother a poor ginger-bread woman at Cow Cross. His business was to wait upon gentlemen-commoners, to dress and clean their shoes, and make their excuses. In the drama he takes the place of the faithful slave in heathen comedy, and by personating a rich lover wins Berynthia for his master, Smart. The poor fellow, whose fortune was 'soon told—the reversion of old shoes which gentlemen-

¹ Quoted by Wordsworth, *ut supra*, p. 665.

commoners leave off, two Raggs call'd Shirts, a dog's eard *Grammar*, and a piece of *Ovid de Tristibus*'—was rewarded with a gratuity of 500 guineas.¹ In 1721 Nicholas Amhurst grossly libelled the College by saying that Brasenose thought only of engrossing good livings and brewing good ale. The latter was so potent that it 'flies to the seasoned head of an Essex squire'. He declares that in any play of the period a man who wishes to be taken for a Fellow of Brasenose must use an immense pillow for a stomach.² The College was attacked in much the same spirit during the rule of Principal Barker, for 'Gradus', the awkward Brasenose scholar in Mr. Cawley's *Whose the Dupe* (1779), when he first came from Oxford, wore 'a grizzle wig curled as stiffly as Sir Cloudesley Shovel's in the Abbey—a dingy brown coat with vellum button-holes—and cambric enough in his ruffles to make his grandson's shirt'.³

There is no doubt that the playwrights were not far wrong in showing that the intellectual side of college life was neglected. The collegiate educational system was very poor indeed, and the Brasenose dons liked to 'live easy . . . without prosecution of studies',⁴ and for this reason college tuition had to be supplemented by private assistance. In certain instances the private tutor lived within the College walls, and so Hearne records, in 1717, that Mr. Atherton⁵ of Brasenose, having a college tutor, was also under the care of a non-juring clergyman who resided in college.⁶ It is interesting to notice that even with this double assistance Mr. Atherton never obtained his degree. Not that he loved his old college any less for its failure to instruct him, as in later years he gave some very handsome gifts to Brasenose.⁷ In this way he somewhat resembled Edward King⁸ (matric. 1721), who, though he never took his degree, remained an ever loyal son of the College, keeping his name on the books for no less than eighty-five years. Had the statutes been obeyed,

The educational system.

¹ Quoted by Wordsworth, *ut supra*, p. 101. ² *Ibid.*, p. 305. ³ *Ibid.*, p. 473.

⁴ Mon. XII, p. 26.

⁵ *B. N. C. Reg.*, p. 299.

⁶ Quoted by Godley, *ut supra*, p. 55.

⁷ Mon. IV and V.

⁸ *B. N. C. Reg.*, p. 305.

it would not be surprising that men should find some difficulty in taking their degrees. A Brasenose scholar wrote in 1742, 'we are here quite taken up with logic, which is indeed a very dry study.'¹ The men, however, were not only engaged in logic, for there was far more than that to be mastered. There was

'a regular course of study intended to cover the seven years from matriculation to the M.A. degree, ordained by the Laudian Statutes: a course, which, had it been duly followed, was catholic enough to satisfy the demands of that, or indeed, of any age. It is no system for the specialist. Oxonians are required to take all knowledge for their province. In the first year of residence there are to be lectures on Grammar and Rhetoric. The second is devoted to the study of Aristotle's Ethics and Politics, Logic and Economics: the third and fourth to Logic, Moral Philosophy, Geometry and Greek: and the three or nearly three years intervening between the Bachelor's and Master's degrees are to be given to Geometry, Astronomy, Metaphysics, Natural Philosophy, Ancient History, Greek and Hebrew.'²

*Letter
from John
Kenrick
illustrating
College life.*

After the bitter quarrels of 'party' subsided the College did pay some attention to the claims of education; and this is well illustrated by a letter from John Kenrick,³ of Brasenose, to Lloyd Kenyon, written on November 14, 1750:—

'It is true as you observe that we in college here are not absolutely obliged to pursue our studies, but then there are so many restraints laid upon us, that they almost put it out of our power to avoid it. For, if we appear out, we are in danger of being taken by the Proctors, or of being branded by names of loungers; besides we have duties in our college to attend, all of which we consider make our confinement here as great as at school, but far from being so disagreeable, for you may suppose that we can employ some part of the day with a great deal of pleasure in our private chambers exclusive of all obligation.

'That you may the better understand the method we go upon I shall divide our Lectures, into public and private. First, then with our private tutor we are lectured upon Plato's dialogues and logic, *whenever he pleases* to call upon us; for our public lectures in the hall, we have particular days in the week, which consists of Xenophon's *Memorabilia* and Horace, by two different lecturers, one of whom is Mr. Mather,⁴

¹ Wordsworth, *Scholae Academicæ* (1877), p. 86.

² Godley, *ut supra*, p. 57.

³ *B. N. C. Reg.*, p. 343.

⁴ *B. N. C. Reg.*, p. 327. Roger Mather was Public Orator, 1749-60. The post was filled by election of Convocation, and up to 1811 the income was £6 13s. 4d. Roger Mather is the only Brasenose man who has held the office since its foundation in 1564.

a very ingenious man, whom, I dare say, you have heard of. As for our exercises, they are disputations, three times a week, besides a declamation every term.

‘I must now, since you desire me, give you some account of my examination for admission.

‘My tutor first of all tried me in Ethics and Horace; the next day the Principal sent for me and put a Horace in my hand, and then Virgil and lastly Sophocles, where I read half a dozen lines . . . and to conclude the farce he gave me a theme to make.

‘But I must not omit telling you that I came on to dispute last week, a work which I do not like much as yet, though I chop logic pretty fast.’¹

A more strenuous life in matters of education and learning gradually caused the disappearance of quaint old customs; *Two curious customs.* two very curious ones, however, survived well into the eighteenth century. The first was ‘for the scholars of the College to have Almonds, Raisins, and Figs for Dinner on Good Friday’²; while the second was ‘for the Bachelors of Arts and Undergraduates of this College every Year upon New Year’s Day, to wait on their Principal, all in a Body, and present him everyone with an Epistle by way of New Year’s Gift, wishing him a happy New Year’.³ These two customs show a rather peculiar feature of College life; from them it is clear that in the first part of the eighteenth century the vacations were quite different to what they are now, for it would be impossible, in modern times, for undergraduates to be in College either on New Year’s Day or Good Friday. There is, however, plenty of evidence to show that the scholars of the College, if not the commoners, remained in residence each year far longer than to-day. As late as 1781 the Thornhill scholars had to reside at least thirty-two weeks, which would give a term of roughly ten weeks and four days; and in earlier days the Claymond scholars could only have forty days’ vacation in the whole year.⁴

¹ Hist. MSS. Com. Rep. xiv, App. 4.

² Pointer, *Oxoniensis Academia* (1749), p. 71, says: ‘For I by chance met with a Receipt of 30s. paid by M^r Edward Shippary (when Butler of this College) to one John Langley, for eleven Pounds of Almonds, thirty-five Pounds of Raisins, and thirteen Pounds of Figs served into Brazennose College Mar. 28th 1662.’

³ Ibid.

⁴ Mon. X, p. 34.

Room rent. A longer term of residence did not mean, fortunately for the undergraduates, a very excessive sum for room rent. In 1702, the 'middle chamber over ye Buttery'¹ was £5 10s. per annum. The room 'next to All Hallows' was £3 10s.; and that sum was also paid for the next room on the north-west, with 'study in ye st^rcase'. With regard to ground floor rooms the rents were rather higher; five were entered at £6, and one at £4. On the other hand, the 'Cock lofts' were very cheap; certainly there was one at £4, but ten were only £1 each, and two were fixed at £2. At the same time two chambers in Staple Hall were £1 each, and two were only 10s. The Black Hall rooms were rather better, for one was £6 5s., one £4, one £3, and two £2 each. From records of 1773 the rents had evidently risen, but only very slightly.² The highest rent on staircase No. 1 was for room No. 5 £8. The highest on No. 2 was £6; on No. 3 £7, on No. 6 £6, on No. 8 £4 10s. Room rents remained very much the same throughout the rest of the century, though there seems to have been a small increase in 1792, when the cheapest room was about £3, while the dearest was £9.

Excessive drinking.

Even if rents were not very high, the longer period of residence would mean proportionately greater expense than at the present time, and this was increased by the excessive drinking that undergraduates and dons thought it was the correct thing to do. Drinking immoderately was the fashionable vice of the eighteenth century, and one Brasenose man suffered for his undue consumption of alcoholic liquor. On October 22, 1729, Hearne records the death of John Whiteside,³ the keeper of the Ashmolean Museum, from drinking 'a pretty deal of bad small beer at Christ Church'.⁴ A Brasenose bill for May 29, 1762, shows the consumption of about

¹ This is now the Senior Common Room.

² Principal Cawley, *ut supra*. He adds to his figures two curious notes. (1) 'Ten rents of garrets belonging to Ten Sen^r Fellows & of Common-Room Cellar—11 0 0; (2) Me^m. when there are no Claymond-scholars their Chum-Room goes to Domus, viz. No. 7 in No. 1.'

³ John Whiteside matriculated at Brasenose in 1696; he became Chaplain of Christ Church and Keeper of the Ashmolean Museum in 1714. Cf. *B. N. C. Reg.*, p. 268.

⁴ O. H. S., xli, p. 72.

a bottle apiece, which was very moderate drinking for that period; but this bill did not include any private supplies that might have been used on that occasion.

‘For wine at the Gaudy.’

| | | | |
|--|---|----|----------------|
| 2 doz. and 11 bottles of Port | 2 | 18 | 4 |
| 1 doz. of Mountain | 1 | 0 | 0 |
| 3 [bottles] of Madeira | | 9 | 0 |
| 2 [bottles] of Lisbon | | 3 | 4 |
| To the Bachelor's Room 6 bottles of Port | | 10 | 0 |
| To the Com. Room 17 bottles of Port | 1 | 8 | 4 |
| 4 [bottles] of Lisbon | | 6 | 8 |
| 1 [bottle] of Madeira | | 3 | 0 |
| 1 [bottle] of Mountain | | 1 | 8 |
| | 7 | 0 | 4 ¹ |

The ale bill of 1762-3 has also been preserved.

| | | | |
|--|-----|----|---|
| 1762. Nov. 24-Feb 7. 1763. to Alderman Jues for Ale . | £36 | 18 | 9 |
| 1763. Feb. 11-May 11 " " " " " . | £34 | 2 | 6 |
| May 19-Aug. 3. " " " " " . | £20 | 1 | 3 |
| Aug. 22-Nov. 9. " " " " " . | £25 | 17 | 6 |

This is a very considerable sum, and is more than twice as much as the modern beer-bill.² About the period of the above bill Lord Eldon says in his anecdote book that he saw a Doctor of Divinity striving to make his way to Brasenose through Radcliffe Square; ‘he had reached the Library, or rotunda, then without railings, and unable to support himself except by keeping one hand upon the building, he continued walking round and round,’ till rescued by a friend.³ There is little doubt that this habit of excessive drinking increased as the century drew to a close. Crosse says that about 1799 ‘Oxford is a perfect hell upon earth’⁴; while Southey wrote, ‘Temperance is much wanted; the waters of Helicon are far too much polluted by the wine of Bacchus ever to produce any effect.’⁵

¹ College Muniment Room.

² Principal Cawley wrote in 1773, ‘Double or Ale is now bought in at £1 10 0 a Barrel and sold out in Coft at £2 2 0: And Middle or Small Beer is bōut in at 7^s 6^d a B & sold out at 11^s 3^d.’

³ O. H. S., xli, p. 69.

⁴ Ibid., p. 70.

⁵ Ibid.

*College
dinners.*

If Brasenose men drank heavily, certainly the Brasenose dons dined well. Some very interesting bills have been kept which not only show the style of living at High Table, but are useful to those who desire to know the prices of articles of consumption during the eighteenth century. On Christmas Day, 1703, 'the High Messe diner' consisted of:—

| | | |
|-----------------------------|---|---|
| A p[ie]ce Beefe | 6 | 0 |
| Cabage and Rootts | 6 | |
| a Racke Veale | 2 | 2 |
| a Chine Bacon | 5 | 4 |
| 1 Turkey | 4 | 6 |
| 1 Capon | 2 | 6 |
| 2 [Ox] Tales | 3 | 0 |
| 2 Cockes | 3 | 4 |
| 12 Larkes | 1 | 0 |
| Butter | 2 | 0 |
| Anchovie | 3 | |
| Wine | 3 | |
| Leamon | 6 | |
| Grasses | 3 | |
| Spices | 1 | |
| Flower | 1 | |
| Butter and cheese | 4 | |
| 2 mince pyes | 2 | 4 |

But the dons did far better at the 'Tower Diner' on January 26, 170 $\frac{3}{4}$, for here the *menu* was more varied:—

| | | |
|--|----|---|
| 1 Jack 2 Perch 3 Eyles 2 carps | 13 | 0 |
| 3 Calfs heads | 3 | 6 |
| 6 Marrow bones | 2 | 0 |
| for dsed [? dressed] meat | 1 | 0 |
| Bacon | 1 | 2 |
| A S ^r of Beefe 51 lb. | 12 | 9 |
| A chine of veal | 4 | 0 |
| A marrow puding | 5 | 0 |
| 3 mince pyes | 3 | 6 |
| 2 wild duckes | 3 | 0 |
| 2 wood cockes | 3 | 4 |
| 12 larkes | 1 | 6 |
| 2 [Ox] Tales | 2 | 6 |
| 4 Cramed chicken | 4 | 8 |

| | | |
|-------------------------------|-------|-------|
| A Tansey | 3 | 4 |
| Oringes | | 8 |
| A Trotter pye | 2 | 6 |
| Butter | 5 | 4 |
| Anchovie | | 9 |
| Wine | 2 | 6 |
| Spices | | 6 |
| Oringes and Leamons | 2 | 11 |
| Oysters | 2 | 0 |
| Horse radish | | 3 |
| Mustard | | 1 |
| Flower | | 3 |
| Sweat harbes | | 1 |
| Dripping | | 3 |
| Butter and cheese | | 6 |
| | <hr/> | <hr/> |
| | 4 | 2 10 |

A very expensive meal, called the 'Gorday', was given on May 29,¹ 1704. The total cost was £19 1s. 6d., and amongst many other viands there were:—

| | | |
|-------------------------------|----|------|
| 1 English Hame 14 lb. | 10 | 6 |
| 10 quarts Beans | 10 | 0 |
| 7 Toungs | 9 | 0 |
| 400 of Sparagrasse | 3 | 4 |
| 30 great Tarts | 1 | 10 0 |
| 12 small do. | 6 | 0 |
| 4 custerds. | 6 | 0 |

The 'Diner' on September 7, 1704, was of a rather curious character, and differed considerably from those already mentioned. Amongst other things it consisted of:—

| | | |
|--|---|---|
| A dish of pickles with warnuts and mushrooms | 2 | 8 |
| 2 rabatts | 1 | 4 |
| 100 lb. crafish | 3 | 6 |

¹ Principal Cawley says: 'Everyone that enters within the year before each 29th of May, of whatever Quality or Degree, present or absent, puts on in the Buttery-Book 2^s 6^d towards defraying the Expences of the Gaudy on that Day—The Jun^r Bursar receives these Monies also in the Battels and pays them to the Sen^r Bursar in the last Acc^t between them.'

Another Gaudy was held on 'May ye 29 1762', and here again a tremendous banquet was given:—

| | | | |
|-------------------------------------|-------|---------|---|
| 23 lb. Fresh Fish | . . . | 1 4 0 | <i>Jack too large.</i> |
| Salmon 36 lb. at 10d. | . . . | 1 10 0 | |
| Hams 107 lb. at 8d. | . . . | 3 11 4 | <i>Hams too much.</i> |
| Lobster 50 lb. at 10d. | . . . | 2 1 8 | <i>Lobsters too many.</i> |
| Pease | | 5 0 | |
| 32 Chichings at 1/6 | . . . | 2 8 0 | |
| 18 Ducks at 1/6 | . . . | 1 7 0 | |
| 12 Geese | | 1 16 0 | <i>2 geese supplied for H^{on} Table.</i> |
| Mutton 74 lb. | | 1 4 8 | |
| S ^r Beefe 78 lb. | | 1 6 0 | <i>Beef too much by half.</i> |
| two tongues and Udders | . . . | 10 0 | |
| Crawfish | | 10 0 | |
| Roots | | 6 0 | |
| Wine [and] Ancovies | | 5 0 | |
| Curry Jelley | | 2 6 | |
| Sugar [and] Spice | | 3 0 | |
| Lemmons and Oringes | | 4 0 | |
| Gravey Meat | | 5 0 | |
| Bread flower and eggs | | 3 6 | |
| Oyl vinegar and must[ard] | | 2 6 | |
| 20 lb. Butter. | | 13 4 | |
| Garnish | | 2 0 | |
| 6 dozen Tarts | | 18 0 | <i>5 doz. enough.</i> |
| 6 dozen cheesecakes | | 12 0 | <i>5 doz. enough.</i> |
| 4 doz. custards | | 8 0 | <i>3 doz. enough.</i> |
| Sallad and Cucumbers | | 10 0 | <i>Cucumbers unnecessary.</i> |
| <hr/> | | | |
| | | £22 8 6 | |
| <hr/> | | | |

The time for dinner gradually became later as the century neared its close. At first the hour was eleven, but it changed to twelve about 1730¹; and was fixed at one in 1753.² At the end of the century, however, the hour was still further postponed, and about 1800 'hall' was usually at four o'clock,³ when every one changed into evening dress. After

¹ Wordsworth, *ut supra*, pp. 29 and 34.

² Godley, *ut supra*, p. 101.

³ V. P.'s Reg., Oct. 21, 1814. Dinner was then changed from four to five o'clock, and the time of prayers was fixed at seven. It is interesting to notice that in 1834 the dinner was altered back to four.

dinner the dons retired to Senior Common Room, and wherever, in the eighteenth century, there is a mention of that room there is sure to be a reference to smoking.¹ A Brasenose bill for 1762 shows that pipes and tobacco were very cheap :—

| | s. | d. |
|-----------------------------------|----|----|
| ' for 1 lb. of best tobacco . . . | 1 | 8 |
| ' for 2 dozen best pipes . . . | | 8' |

With cheap but good wine,² and decidedly cheap but probably nasty tobacco, untroubled by troublesome pupils, the old port-loving Fellows passed away many a happy evening in that finely panelled room on Staircase No. 1.

With regard to other meals, it is very clear that breakfast *College breakfasts.* was not so popular as it is now. In fact, between 1700 and 1730 it was hardly a regular meal,³ though men still continued to rise as early as their Elizabethan ancestors.⁴ There is an isolated reference to a breakfast, on October 30, 1704. The entry is as follows :—

| | | |
|----------------------------|---|---|
| Coffee and tea | 2 | 0 |
| Sugar and nutmeg | 1 | 0 |

Up to 1764, and possibly later, it was still customary to have ale for breakfast,⁵ and the taking of tea or coffee was described as 'a fashionable vice which leads only to the squandering of money and misspending the morning in jentacular confabulations'.⁶ But the custom had become fairly well established, as shown by numerous bills of the period. Two examples will be sufficient :—

¹ O. H. S., xli, p. 67.

² Claret in Oxford in 1706 cost 1s. 6d. a bottle; cf. *Reliq. Hearn.*, Bliss, i, p. 122. Port at the end of the eighteenth century cost 1s. 6d. or less a bottle.

³ Godley, *ut supra*, p. 101.

⁴ O. H. S., xli, p. 48.

⁵ Ale after breakfast is not yet an obsolete custom.

⁶ O. H. S., xli, p. 82.

1762. November 5.

| | |
|----------------------------|------|
| Chocolate | 2 0 |
| Tea | 1 6 |
| Coffee | 1 6 |
| Sugar & Cream | 1 4 |
| Bread | 10 |
| 2 lbs. of Butter | 1 6 |
| Linen & Plate | 1 2 |
| <hr/> | |
| | 9 10 |
| <hr/> | |

1763. January 26.

| | |
|-----------------------------------|-----|
| Chocolate | 2 0 |
| Tea | 1 6 |
| Coffee | 1 6 |
| Sugar & Cream | 4 |
| Bread | 10 |
| Charcoal | 1 0 |
| Linen | 1 0 |
| Plats | 2 |
| Half a sack of Sea cole | 3 6 |
| Mould Candles | 7 |
| Common Candles | 3 |
| Pipes & Tobacco | 11 |
| Smoking Candle | 2 |

13 9

*College
supper.*

Lunch and afternoon tea were unknown, and the only other meal in the day consisted of a light supper. In 1747 this was taken at six, but by 1792 the hour had been changed, and with a later dinner at four o'clock supper was not laid till nine. Between dinner and supper at the end of the century large parties were invited to private 'wines', during which a moderate dessert was discussed with large quantities of claret and port.

*College
bills.*

The College bills of the period contain many interesting little points that show how the times have changed. In 1762 a half-year's firing cost £20, which was a great increase on that of earlier years.¹ A bill for charcoal for the Hall was paid on December 5, 1763, amounting to £3. This charcoal, together with pit coal, which cost 2s. 6d. a cwt., was placed on six chafing-dishes which stood on brass plates at different points in the Hall, just as, at the present day, they stand in Italian houses.² The sweeping of the Hall chimney cost more than cleaning the whole room, for, in 1763, the former was £1 1s., while the latter was 19s. 10d. 'For leiting the lampes' in the Hall for one year, is entered at £1 10s. Some of the

¹ Mon. X, p. 40.² Mon. III, p. 43.

expenses of the Principal's Lodging seem to have been very small, and are entered thus:—

| | | | | | | | | |
|-------------------|---|---|---|---|---|---|---|-------------|
| Salt ¹ | . | . | . | . | . | . | . | 5 <i>d.</i> |
| Whiting | . | . | . | . | . | . | . | 2 <i>d.</i> |
| Rollen Stone | . | . | . | . | . | . | . | 3 <i>d.</i> |
| Amrey | . | . | . | . | . | . | . | 4 <i>d.</i> |
| Scouring paper | . | . | . | . | . | . | . | 6 <i>d.</i> |

The Buttery required more, but even here the entries are not very excessive:—

| | | | | | | | | |
|-------------------------|---|---|---|---|---|---|----|---|
| Matches | . | . | . | . | . | . | . | 1 |
| 4 Buttery Books | . | . | . | . | . | 1 | 16 | 0 |
| Best writing paper | . | . | . | . | . | . | 1 | 0 |
| 6 quires imperial paper | . | . | . | . | . | 1 | 7 | 0 |
| Bromes | . | . | . | . | . | . | . | 4 |
| Mopp | . | . | . | . | . | . | 1 | 0 |
| Mug brush | . | . | . | . | . | . | . | 8 |

Amongst items for the Kitchen there were three that do not seem to apply to the culinary art: 'Rosern', 2*d.*; pack-thread, 4*d.*; tow, 4*d.* Other miscellaneous sums occur, such as 6*s.* for a 'matt'; 5*s.* for a bell rope; 1*s.* 8*d.* for a 'long hare broom'; and 2*d.* for 'oyl for bells'. And lastly there is the Butler's bill for each quarter, which occurs over and over again, but practically never varies in its items. They were in 1763:—

| | | | | | | |
|-------------------------|---|---|---|---|---|--------------------------------------|
| Cats | . | . | . | . | . | 3 <i>d.</i> per week |
| Laundress | . | . | . | . | . | 2 <i>d.</i> per week |
| Plates | . | . | . | . | . | 1 <i>d.</i> per week |
| Scouring buttery plates | . | . | . | . | . | 6 <i>d.</i> |
| Ordination | . | . | . | . | . | 2 <i>d.</i> |
| Assize | . | . | . | . | . | 2 <i>d.</i> |
| Sacrament bread | . | . | . | . | . | 9 <i>d.</i> |
| Sand | . | . | . | . | . | 6 <i>d.</i> |
| Cakes | . | . | . | . | . | 5 <i>s.</i> 0 <i>d.</i> ² |

¹ Pepper and fine salt used in the Hall were supplied by the Hall-man and 'p^d for by the Junr. Bursar Q^{rl}^y; and formerly according to the Quantity us'd'. Previous to 1753 Principal Cawley says there is no entry for Oil and Vinegar, but he thinks that it is a reasonable charge which should be paid for by the Junior Bursar to the Manciple.

² All these figures have been given to me by Mr. Coxhill and are taken from several thousand bills preserved in the College. There is another curious bill mentioned in the V. P.'s Reg. in 1767: 'The Porter's bill for errands &c to laid before the Fellows and if approved to be put in the Jun: Bursar's Book.'

*The
income
of the
Principal,*

Other College payments are even more interesting than those already mentioned. Nominally the old fees and stipends still continued, and the Principal's true income was very small indeed.¹ In June, 1749,² it had been fixed at £100; and on May 5, 1750, the Fellows resolved that the stipend of £100 be continued as long as the Principal had no benefice from the College, and the Visitor was asked to confirm this.³ The sum, however, was not sufficient to meet the growing expenses of the period; and on December 11, 1770, the Principal's stipend was increased to £200 per annum, as long as he held no benefice. This resolution required re-enactment, which it obtained on January 28, 1778, and on December 20, 1785. Here matters remained until, on December 19, 1810, it was decided that the income should be at least £800 per annum, exclusive of dinner allowance; while a year later the minimum was fixed at £1000.⁴

*Incomes
of the
Fellows*

The Fellows of the College also found it necessary to obtain augmentations, and they resolved on January 22, 1747⁵, 'quod unusquisque commensalis non graduatus (donec annos quatuor Academicos compleverit) sex libras et totidem solidos: Bachalaureus vero quatuor libras et totidem solidos, Tutori suo annuatim solverit [*sic*].'⁶ In the latter half of the century a Fellow could live fairly comfortably on £100 per

¹ Mon. X, p. 39.

² V. P.'s Reg. C, p. 151, June 16, resolved 'that a stipend of £100 be paid to him in two half yearly payments of £50 until he be presented to a benefice by the college. That he be presented to either the Rectory of Steeple Aston or that of Dudcote, which ever should first become vacant, and that the said Rectory be held with the Principalship in perpetuity.' The Rectory of Dudcote was offered to him on March 28, 1750, but Dr. Yarborough definitely refused it on May 5. Cf. *B. N. C. Reg.*, p. 293.

³ V. P.'s Reg. C, pp. 162-3. The Visitor [John Thomas, Bishop of Lincoln] was asked on December 20, 1750, and gave his confirmation on May 9, 1751. Cf. another case of troubling the Visitor on February 24, 1753, when he was asked that election to Fellowships should be confined to men within eight years from matriculation. The Visitor gave his sanction, cf. V. P.'s Reg. C, p. 173.

⁴ V. P.'s Reg., *passim*.

⁵ V. P.'s Reg. C, p. 140.

⁶ Ibid. Cf. a list which is given on a fly-leaf of the V. P.'s Reg., referring to a period between 1754-88, of fees for admission. A Baron £5 5s.; a Baronet £4 4s.; a Gentleman-Commoner £2 2s.; a Commoner £1 1s.; a Batteler 10s. 6d. The undergraduates had also to pay Plate-money, according to their position. f. Mon. V, p. 44.

annum, which was made up from many sources. They occasionally gained a slight increase: 'when all the 3 [Claymond] Scholars^{ps} are vacant the whole of the above £8 is to be divided by the Jun^r Bursar among the Prinč & Fellows on St. Andrew's Day.'¹ The two Bursars augmented their incomes previous to 1770 by a poundage on the brewers' bill, 'But of late Years the Coll has allow'd them £40 in Lieu thereof to be equally divided between them.'² Besides this, 'The Jun^r Bursar has for many Years taken Poundage of Bread, Pies, Buns, Almonds & Raisins, viz. 3^s a Pound, at the Pay^{mt} of the Bills for these articles. He also took 1^s a Pound wⁿ he p^d the Bill for Pepper & fine Salt—Of the Monies, thus arising from Poundage, he himself was entitled to $\frac{4}{9}$, as a Perquisite; & he here pays the Remainder, viz. $\frac{5}{9}$ to the Sen^r Bursar as a Perquisite also to him.'³ On December 18, 1783, it was found that the Vice-Principal could not continue to exist on his stipend; it was therefore increased by charging Bachelors and undergraduates 1s. 6d. instead of 6d. a week for his 'augmentation.'⁴

From a social point of view the greatest feature of the eighteenth century in Brasenose College history was the foundation of the Phoenix Common Room, to which reference has already been made.⁵ The records of the first year or two of its existence are clouded and uncertain, but it undoubtedly owed its foundation to Joseph Alderson⁶ (matric. 1779). In 1781, or at the beginning of 1782, Alderson, then in his third year, and Robert Hesketh, James Pemberton, and George Powell, all in their first year,⁷ founded a dining club, which may possibly have been called the Phoenix Society. Two years later two new members were admitted in the persons of Robert Willis Blencowe and Francis Rodd.⁸ It was not, however, until October, 1786, that the Club, as it is now known,

*The
foundation
of the
Phoenix
Common
Room.*

¹ Principal Cawley, *ut supra*.

² Ibid.

³ Ibid. Until a few years ago the Bursar also had a Christmas-box of 13s. 4d., 'pro ocreis.'

⁴ V. P.'s Reg. This would fall rather heavily on the Iver Scholars, as, on November 5, 1782, their scholarships had been reduced from £20 to £15.

⁵ See p. 29.

⁶ *B. N. C. Reg.*, p. 379.

⁷ Ibid., pp. 381–2.

⁸ Ibid., p. 385.

was fully established. It came to be called the 'Phoenix Common Room', or in full title, 'The Phoenix Society, or Junior Common Room at Brasenose.' Dr. Cradock always thought that it was meant to be a revival of a suppressed club, and that the motto, 'Uno avulso non deficit alter,' was an allusion to this; but what this mysterious club may have been it is now quite impossible to say. It was decided in 1786 that there should be twelve actual undergraduate members of the Phoenix Common Room, each of whom was to pay 5*s.* to the funds of the society. At the same time it was resolved that the 'anniversary' should be held at the King's Arms, and that ordinary meetings were to take place on Sunday nights. A new rule was issued in 1793, that all the business of the Club was to be transacted in the room of the secretary, at a public breakfast paid for out of the funds of the Society. By this time it became obvious that 'the Phoenix' must be put on a more sound financial basis, so that in 1797 each member was to pay three guineas caution-money, which, two years later, was raised to five. In 1801, each member was allowed to bring one guest; and 2*s.* 6*d.* per head was collected for the Common Room man. The toasts at this time consisted of five regular ones—'Our old Friend', 'The King', 'The Phoenix', 'Absent Members', and 'The Secretary'.¹ During this early period the Club was waited on by a very faithful old servant of the College, Thomas Reynolds,² whose portrait was engraved in 1801 at the expense of the members. A very interesting feature of this old social club is the fact that all the records are singularly complete, even to the caricatures on the blotting-paper of the dinner books.³

The
foundation
of 'THE
Club'.

Another important society was founded about this time, known as 'THE Club', and which is now the oldest senior social club existing in the University. It was established in 1790, with the intention of propagating the principles of the French Revolution. It at first consisted of ten members,⁴

¹ A full list of the Secretaries and all information concerning the Club is to be found in Mr. F. Madan's *A Century of the Phoenix Common Room*, &c. (1888).

² Thomas Reynolds had a present of £5 'for his honesty and attachment'.

³ See Mr. Madan's article in Clark, *ut supra*, p. 262.

⁴ Now twelve.

a majority of whom, in the early years of the society, were Brasenose men. The original members, who were elected from Brasenose, were: George Harper¹ (matric. 1779), James Pemberton² (matric. 1781), John Haddon Hindley³ (matric. 1784), and either Mark Sykes⁴ (matric. 1788) or Tatton Sykes⁵ (matric. 1788).

Some letters of Richard Dod Baker⁶ (matric. 1801) have been preserved, and give something of a picture of Brasenose life at a time of transition, and thus form a suitable conclusion to the history of this period. On October 14, 1801, Baker wrote:—

*Letters
from R. D.
Baker
illustrat-
ing College
life.*

‘My dear Cousins,

‘I should not feel perfectly content without addressing a few lines to you just to inform you how I am fixed in this Seat of Learning. I took possession of my rooms⁷ on Saturday, and I assure you they are much more comfortable than I expected—my sitting room is as large as your little parlour and to appearance much more comfortable—a bureau, 5 chairs, and a table in it. My drawing room (for so I please to call it) is smaller, but neater, a glass door out of my sitting room to it with two chairs and 2 tables. My bedroom is a little larger than sitting-room with a very comfortable bed, bureau etc., all together, as if it were our three parlours at Highfields, but a door to each out of my S. R. I have been this morning with some of the Tutors to buy myself a set of tea-things, Candlesticks, silver tea-spoons, sheets, towels etc., and though Oxford is the most improving place in the world it could not I think cheat us enough in our small articles. Figure to yourself a venerable elderly man and myself with our caps and gowns choosing and buying the best China, good judges, I’m sure I could not tell China from common ware. . . . Oxford is at this time extremely dull, the young men not coming up till the 17th, there are but 13 of us here, on Sunday we shall be quite full. . . . We all dine together in the Common Hall with servants to wait, and you order what you like. Supper at 9. Prayers 7 morning, 5 evening.’

¹ *B. N. C. Reg.*, p. 379.

² *Ibid.*, p. 381.

³ *Ibid.*, p. 385.

⁴ *Ibid.*, p. 390.

⁵ *Ibid.*, p. 390. These two men must not be confused with the Mr. Sykes of Brasenose who made careful observations of the transit of the Planet Venus on June 3, 1769. Cf. *O. H. S.*, xli, p. 306.

⁶ *B. N. C. Reg.*, p. 407.

⁷ These rooms, according to the Rent Book of that year, were O. L. 6.

Richard Baker again wrote to his cousin, on the last day of Term, December 10:—

‘I dare say little as you know of this seat of learning you have heard that our examinations for degrees have always hitherto been laughed at as trifling and a mere matter of form, but now they have assumed a very serious aspect, and as your cousin is to take one you will not deem the following short account of the end Examination, I have to undergo, at all improper. There is now a large room fitted up for the purpose which will contain, I should imagine, 300 persons, there are benches for the Vice-Chancellor, Proctors, Drs, Heads of Colleges and Halls etc., who are all required to attend at this most solemn occasion, and about 200 auditors. There are perhaps six examined at a time and this occupies from 9 in the morning till 3 in the afternoon; so that whoever thinks of taking a degree must fag. I have found a very respectable and agreeable acquaintance, but it was long before I thought I should form any, and nothing is so dull and melancholy as having no one to speak to me, as was my case for a fortnight or more.’

The making of friends seems to have been a great difficulty to Richard Baker, and yet he is evidently fond of ‘company’, as seen in the following letter, which is undated:—

‘After a very pleasant journey we arrived at this celebrated seat of learning on Thursday last. . . . On Friday my father introduced me to a Mrs. Smith—a lady of considerable property in the neighbourhood. Such an acquaintance will be very pleasant, at least very different from the noisy riot of a College evg., without Company of some sort Oxford, I do assure you, would be quite intolerable, and the man who pens himself up in his attic poring everlasting over his book can be compared to nothing better than an “Owl in a Desert”. Study, however, affords many an hours rational amusement, but like everything else there may be too much of it; for my own part I think 6 hours in the day quite sufficient, much time therefore must be devoted to other objects and it should be our own care to spend it in the best manner.’¹

Conclusion.

The nineteenth century brought new ideas and new notions. The previous century when it opened ‘found Oxford turbulent and anarchic and left it law-abiding’.² The old days had gone for good when the New Examination Statute was passed in 1800. The old style of don began gradually to disappear. The period had too long influenced the man, and as the Fellows were celibates by compulsion and had no outlet in

¹ Quoted by Buchan, *ut supra*, pp. 192-5.

² Godley, *ut supra*, p. 158.

the shape of sports or games, College history in the eighteenth century naturally contained far too much of quarrels, bickerings, and backbitings. Discipline was lax, the standards of learning were low; Brasenose College, like the University, was 'a rakish, modish place, full of foppery and drunkenness'.¹ The century, however, served a purpose and led the way to greater things. Another monograph will show that the men who matriculated in the first decade of the new century were able, brilliant and persevering. To them is partially due the unique Brasenose record of carrying off all the first classes in one year. If this were the stuff of which Brasenose men were made, it was good stuff indeed; and succeeding generations have continued to strive to preserve the College glory and to keep the College name and traditions clear and untarnished in all parts of the world.

¹ Buchan, *ut supra*, p. 47.

Oxford Historical Society.

PUBLICATIONS.

1884.

1. **Register of the University of Oxford.** Vol. I. (1449-63; 1505-71), edited by the Rev. C. W. BOASE, M.A., pp. xxviii + 364. (Price to the public, without discount, and prepaid, 16s.)
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6. **Magdalen College and King James II, 1686-88.** A series of documents collected and edited by the Rev. J. R. BLOXAM, D.D., with additions, pp. lii + 292. (16s., to members of Magdalen 12s.)

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