GIFT OF

ESTATE OF ALBART MATHEWS

HARVARD COLLEGE LIBRARY
THE UNIVERSITIES OF EUROPE
IN THE MIDDLE AGES

RASHDAI.1.
CONVEYANCE OF LAND IN CAT-STREET, OXFORD C. 1170-1180 A.D.
THE

UNIVERSITIES OF EUROPE,

IN THE

MIDDLE AGES

BY

HASTINGS RASHDALL, M.A.

FELLOW AND TUTOR OF NEW COLLEGE, OXFORD
LATE FELLOW OF HERTFORD COLLEGE

IN TWO VOLUMES

Vol. II, Part II

ENGLISH UNIVERSITIES—STUDENT LIFE

OXFORD

AT THE CLARENDON PRESS

MDCCXCV

1875
Oxford
PRINTED AT THE CLARENDON PRESS
BY HORACE HART, PRINTER TO THE UNIVERSITY
# CONTENTS OF VOL. II, PART II

## CHAPTER XII.

THE ENGLISH UNIVERSITIES.

§ 1. THE ORIGIN OF THE SCHOOLS AND UNIVERSITY OF OXFORD.

<table>
<thead>
<tr>
<th>Bibliography</th>
<th>319</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Alfredian legend</td>
<td>322</td>
</tr>
<tr>
<td>Early history of the City: advantages for a University town</td>
<td>323</td>
</tr>
<tr>
<td>Not a development of monastic schools</td>
<td>326</td>
</tr>
<tr>
<td><em>A priori</em> probability of a migration</td>
<td>328</td>
</tr>
<tr>
<td>Exodus of English scholars from Paris in 1167</td>
<td>329</td>
</tr>
<tr>
<td>Recall of English scholars by Henry II at about the same date</td>
<td>330</td>
</tr>
<tr>
<td>Consequent development of Oxford into a Studium Generale</td>
<td>332</td>
</tr>
<tr>
<td>The Schools of Oxford before 1167</td>
<td>332</td>
</tr>
<tr>
<td>Theobaldus Stampensis taught here before 1117</td>
<td>333</td>
</tr>
<tr>
<td>Robert Pullus or Pullen, 1133</td>
<td>335</td>
</tr>
<tr>
<td>Teaching of Vacarius in 1149 more doubtful</td>
<td>335</td>
</tr>
<tr>
<td>The Parisian migration of 1167-8</td>
<td>338</td>
</tr>
<tr>
<td>Allusions after 1167 testify to generality of Studium</td>
<td>340</td>
</tr>
<tr>
<td>Visit of Giraldus Cambrensis, <em>circa</em> 1186</td>
<td>341</td>
</tr>
<tr>
<td>North-country scholar, <em>circa</em> 1180</td>
<td>342</td>
</tr>
<tr>
<td>Evidences of book-trade, 1170–1180</td>
<td>343</td>
</tr>
<tr>
<td>University Sermons, 1170–1172</td>
<td>344</td>
</tr>
<tr>
<td>Evidence of migration</td>
<td>345</td>
</tr>
<tr>
<td>Frequency of allusions after 1170</td>
<td>346</td>
</tr>
<tr>
<td>Testimony of Emo (1190) and Richard of Devizes (1192)</td>
<td>347</td>
</tr>
<tr>
<td>Richard I's Scholars, the Abbot Samson, and Thomas de Marleberge</td>
<td>347</td>
</tr>
<tr>
<td><em>The suspensium clericorum</em> of 1209: Origin of Cambridge</td>
<td>348</td>
</tr>
</tbody>
</table>
### CONTENTS

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>The return and Legatine Ordinance of 1214</td>
<td>349</td>
</tr>
<tr>
<td>Loan chests</td>
<td>350</td>
</tr>
<tr>
<td>Institution of Chancellorship</td>
<td>351</td>
</tr>
<tr>
<td>Government of scholars before 1214: the Master of the Schools</td>
<td>352</td>
</tr>
<tr>
<td>The Oxford Chancellorship compared with the Parisian</td>
<td>355</td>
</tr>
<tr>
<td>Rudimentary University of Masters probably dates from 1167</td>
<td>360</td>
</tr>
</tbody>
</table>

#### § 2. THE CONSTITUTIONAL DEVELOPMENT.

- Imitation of the Parisian Constitution                              | 361  |
- First Statute and Irish riot, 1252                                   | 362  |
- Original position of the Chancellor                                 | 364  |
- The Proctors                                                        | 365  |
- The Chancellor absorbed into the University                         | 366  |
- Papal confirmation of Statutes                                      | 367  |
- Faculties and Nations                                               | 367  |
- Two Proctors before 1248                                             | 368  |
- Abolition of Nations: Rectors or Proctors                           | 369  |
- No single Rector                                                    | 370  |
- Prerogative of Faculty of Arts                                      | 371  |
- The Proctorial Veto: Proctors are an executive of the whole University | 373  |
- The Non-regents                                                     | 373  |
- The three Congregations, viz.:                                      |      |
  - (1) Black or Previous                                             | 373  |
  - (2) Lesser or Regent                                               | 374  |
  - (3) Full or Great                                                 | 374  |
- Voting by Faculties                                                 | 375  |
- Constitutional changes in the fourteenth century                    | 376  |
- Establishment of the Mendicant Friars in Oxford (1221, &c.)         | 376  |
- Relations between Friars and University                             | 377  |
- Statute of 1281 2/3 requiring Graduation in Arts                    | 378  |
- Measures against the Friars, 1303-1311                               | 380  |
- Majority of Faculties defined by Statute, 1302-3                     | 382  |
- Appeal to the Roman Court                                           | 382  |
- Award of Arbitrators, 1313                                           | 383  |
- Submission of Friars in 1320                                         | 384  |
- Later conflicts                                                     | 384  |
- Constitution fixed, circa 1314: procedure at Great Congregations    | 386  |
- Statutes of Separate Faculties rare                                 | 387  |

#### § 3. THE UNIVERSITY AND THE TOWN.

- Last relics of old clerical immunities in Oxford                    | 388  |
- Central control of local authorities: sanitary inspection           | 389  |
OF VOLUME II, PART II.

The Chancellor's jurisdiction originally spiritual: its extension. 391
Early quarrels with Town: Royal support of Chancellor. 391
Charter of 1244: jurisdiction in contracts. 393
Mayor's oath. 394
Jurisdiction in breaches of the peace, 1255. 394
Seccion to Northampton in 1263. 395
Earlier Migration to Northampton and Salisbury in 1238. 396
Seccion to Stamford in 1234. 397
Great Charter of Edward I, 1276. 398
Taxation of Halls. 399
Dispute with Bailiff of Northern Suburb, 1288. 400
Chancellor’s jurisdiction defined in Parliament, 1290. 401
Frequent confirmations: prayers in lieu of fees. 402
‘The Slaughter’ of 1284. 403
Privileges for the University and penalties for the Town. 406
Clerks of the Market. 409
Jurisdiction of University's Steward, 1405. 409
The precinct of the University defined. 411
Subjection of Town. 411
General Inquisition. 412
Mildness of Law in Medieval Towns. 413
Assault cases in Chancellor's Court. 414
Inquisitorial Jurisdiction. 415
Amicable settlements. 416
Expulsion of Irish, 1423. 416
Purgation and compurgation. 417

§ 4. THE UNIVERSITY AND THE CHURCH.

Original relations between the Bishop of Lincoln and his Oxford Chancellor. 418
Hostility of Bishop Lexington (1254) perhaps led to Papal confirmation and appointment: Conservators Apostolic. 419
Settlement of 1257 by King in Parliament. 420
Growth of Chancellor’s powers: recognition by provincial Synod (1279). 421
Bishop Sutton and the University (1280): Appeals. 422
Metropolitan Visitations. 425
Disputes as to confirmation of Chancellors: its abolition by Bull (1368). 426
Liberties of Oxford encourage Wycliffism and sympathy with Wycliffe. 427
Bull of Exemption from Boniface IX in 1398. 430
Continued sympathy with Wycliffe and resistance to Archbishop Measures against Wycliffe: enforced condemnation of his doctrines by University. 432
CONTENTS

| Attempted Visitation of University by Archbishop Arundel in 1411 | 433 |
| Gallant resistance of Proctors: Bull of Exemption revoked (1411) | 434 |
| Character of the opposition: Visitation of Oriel | 435 |
| The University crushed, and visited by Bishop Repingdon | 436 |
| Exemption restored by Sixtus IV (1479) | 437 |
| Anomalous system of Appeals to Congregation | 437 |
| The Chancellorship gradually becomes permanent | 439 |

§ 5. THE STUDIES OF OXFORD.

General similarity to Paris | 440
Determination and Responsions | 441
Points of contrast with Paris:
(1) Conferment of Bachelor's degree by Chancellor | 441
(2) No regular literary Examinations for M.A. or perhaps B.A. | 442
(3) Determining for others | 444
(4) Inception: different relation of University to the Faculties | 445
History of the 'grace' in Congregation | 448
Absence of Faculty organization | 450
(5) Differences in curriculum | 451
The Oxford curriculum:
Theology | 452
Canon Law | 453
Civil Law | 454
Medicine | 454
Arts | 455
Degrees in Music and Grammar | 458
Study of Astrology | 458
Poets Laureate: Degrees in Rhetoric: Greek and Hebrew | 459
French language and English Law | 459
Failure of Regency system: Duke Humphrey's Lectureships | 460
Margaret Professorship | 461
University Buildings: Cobham's Library | 461
The Schools | 462
Duke Humphrey's Library: growth of Humanism | 464

§ 6. THE COLLEGES OF OXFORD.

Democratic character of the ancient Halls | 465
Growth of University authority over the Halls: Principals | 465
Benefaction of Alan Basset | 469
OF VOLUME II, PART II.

UNIVERSITY COLLEGE (c. 1280) ........ 469
BALLiol (1261-1286) .......... 472

THE MONASTIC COLLEGES:
  Gloucester Hall (1298-1291) ........ 476
  Durham College (c. 1289) .......... 477
  Canterbury .................. 478
  Rewley Abbey (c. 1280) .......... 479
  S. Bernard’s College (1432) ........ 479
  S. Mary’s College (1436) .......... 479
  S. George’s College (1435) ........ 480
  Intellectual work of Monks literary, not scholastic ...... 480

MERTON (1268 or 1284):
  Foundation of House at Malden .......... 481
  Permanent establishment in Oxford: Statutes of 1270 and
  1274 .......... 483
  Buildings .......... 488
  EXETER (1314-1316) .......... 490
  ORIEL (1324) .......... 491
  QUEEN’S (1341) .......... 495
  CANTERBURY (1382) .......... 498
  NEW COLLEGE (1379):
    Foundation of New College and Winchester .......... 500
    Tutors .......... 501
    Munificent scale of foundation .......... 502
    Its ecclesiastical aspect .......... 505
    The New College privilege .......... 507
  LINCOLN (1429) .......... 509
  ALL SOULS (1438) .......... 511
  MAGDALEN (1448) .......... 512
    Reception of Commoners .......... 517

§ 7. THE PLACE OF OXFORD IN MEDIEVAL THOUGHT.

Oxford influential as a School rather than as a Corporation .......... 518
The earliest Oxford teachers: Edmund Rich and Robert
  Grossetête .......... 520
  Roger Bacon .......... 522
Bacon not alone at Oxford: study of Physics and Mathematics .......... 525
Contrast between Oxford and Paris .......... 526
The conservative resistance of seculars and Franciscans to the
  Dominican Aristotelianism centres in Oxford .......... 527
Predecessors of Duns Scotus .......... 529
Duns Scotus, his realistic Philosophy and Theology .......... 531
William of Ockham .......... 535
CONTENTS

Nominalism v. Realism .................................................. 538
Intellectual vitality of fourteenth-century Oxford .................. 539
Bradwardine, Fitzralph (Armachanus) and Wycliffe .................. 540
Decay of Scholastic thought after 1411: permanence of Wycliffe’s work .................................................. 542

§ 8. THE UNIVERSITY OF CAMBRIDGE.

Bibliography ...................................................................... 543
Myths and forgeries .......................................................... 544
The Oxford Migration of 1209 ............................................. 545
Dubious existence from 1214 to Henry II’s invitation of Parisian scholars in 1239 .................................................. 546
Early privileges and constitutional development .................... 546
Gradual growth of ecclesiastical independence ....................... 548
The Barnwell process (1433) ............................................. 550
Was Cambridge a Studium Generale before John XXII’s Bull in 1318? .................................................. 550
Insignificance of medieval Cambridge .................................. 552
Its constitution compared with the Oxonian ......................... 553
Proctors and Rectors, &c. .................................................. 554
The Master of Glomery .................................................... 555
Studies: Caput Senatus ...................................................... 556
Lack of materials ................................................................ 557

§ 9. THE COLLEGES OF CAMBRIDGE.

The Hospicia ..................................................................... 558
William of Kilkenny’s bequest (1250) ................................. 558
The Monastic Colleges ....................................................... 559
Peterhouse (1384) ................................................................ 559
The King’s Hall (ante 1316) ............................................... 561
Michaelhouse (1324) .......................................................... 562
University or Clare Hall (1326) ........................................... 563
Pembroke or Valence Mary (1347) ........................................ 564
Gonville (1348) .................................................................. 566
Trinity Hall (1350) ................................................................ 568
Corpus Christi or Benet College (1352) ................................. 569
God’s House (1441-2) ......................................................... 570
King’s College (1441) .......................................................... 572
Queens’ College (1448) ....................................................... 575
S. Catherine’s (1475) .......................................................... 577
Jesus (1497) ................................................................. 577
CHAPTER XIII.

THE NUMBERS IN THE MEDIEVAL UNIVERSITIES.

PAGE

Testimony of Odofredus as to Bologna ........................................... 581
Of Richard of Armagh, Wycliffe, and Gascoigne as to Oxford ........ 581
Medieval exaggeration ................................................................. 582
More moderate statements as to Oxford ....................................... 583
Degree statistics and other evidence as to Paris ......................... 584
Evidence as to Oxford in the fifteenth century ........................... 587
The German Universities .............................................................. 588
Results ......................................................................................... 589

CHAPTER XIV.

STUDENT LIFE IN THE MIDDLE AGES.

The medieval student neither a modern 'undergraduate' nor
a schoolboy .................................................................................... 593
Previous education of the medieval student .................................. 594
Knowledge required on entrance ................................................... 594
Medieval Latin ................................................................................. 595
The Grammar Schools in University Towns (Paris,
Cambridge, Oxford, &c.) ................................................................ 597
Degrees in Grammar ....................................................................... 599
Grammar Schools outside the Universities: method of
 teaching ............................................................................................ 600
Life in the University: average age of students on entrance .......... 604
Beneficed students .......................................................................... 604
State of Discipline in University Halls and Colleges:
Independence of boy-undergraduates .......................................... 605
Touting Masters: lectures on approbation ..................................... 606
The Hospicia and their Principals ................................................. 607
Gradual enforcement of residence ............................................... 608
State of University discipline: no corporal punishment
except in Grammar Schools till a late period ............................... 609
General laxity: improvement in fifteenth century ......................... 612
Punishments .................................................................................. 614
Tariff of fines for assault ............................................................... 614
Greater strictness made possible by the Colleges ......................... 615
College discipline at first ecclesiastical rather than
scholastic ......................................................................................... 616
Sconces ......................................................................................... 617
## CONTENTS

<table>
<thead>
<tr>
<th>Illustrations from the Sorbonne Register</th>
<th>618</th>
</tr>
</thead>
<tbody>
<tr>
<td>The medieval undergraduate and the modern</td>
<td>619</td>
</tr>
<tr>
<td>Fasting and Abstinence</td>
<td>620</td>
</tr>
<tr>
<td>Flogging in Colleges: in the Sorbonne</td>
<td>620</td>
</tr>
<tr>
<td>Its growth in English Colleges</td>
<td>622</td>
</tr>
<tr>
<td>Reaction of Colleges upon University discipline</td>
<td>623</td>
</tr>
<tr>
<td>The Aularian Statutes at Oxford</td>
<td>624</td>
</tr>
<tr>
<td>Traces of the ancient Autonomy of Halls</td>
<td>626</td>
</tr>
<tr>
<td>Latin-speaking and the ‘Lupus’</td>
<td>627</td>
</tr>
<tr>
<td>Position of Bachelors</td>
<td>627</td>
</tr>
</tbody>
</table>

**The Bajaunus and his Deposition or Initiation:**
- Initiation of the *Bajaunus* or freshman at first repressed, then patronised by authorities | 629 |
- *The Manuale Scholarum*: a medieval ‘Verdant Green’ | 629 |
- The Deposition in German Universities | 630 |
- Initiations in France: student guilds and courts at Avignon | 632 |
- Similar customs at Paris | 635 |

**Academical Dress and Clerical Status:**
- The Undergraduate’s dress and tonsure | 636 |
- College liveries | 638 |
- The magisterial *cappa* | 639 |
- Hoods and caps | 640 |
- The Tabard: the Cincture | 642 |
- Survivals at Cambridge | 643 |
- Meaning of *clericus* | 644 |
- Celibacy of Regents: Marriage and ‘charivari’ | 647 |

**Lectures (Exercises, Resumptions, &c.)** | 648 |

**Divine Service** | 651 |

**Meals** | 652 |

**Standard of Living**: various standards of comfort | 655 |
- Standard in Colleges: meaning of ‘poor scholar’ | 660 |

**Hardships of student life** | 665 |

**Amusements:**
- Games prohibited and otherwise | 669 |
- Dancing | 672 |
- Festivals: Holidays and Sundays | 673 |
- Plays, Poaching, Hawking, &c. | 675 |
- Drinking, quarrelling, and practical joking | 676 |

**The wilder side of University life:**
- Feud between Parisian scholars and the Monastery of S. Germain’s: the conflict of 1278 | 677 |
- Affaire Savoisy | 680 |
- Proclamation by Official of Paris in 1369 | 682 |
- Coroner’s Inquests at Oxford | 682 |
- A Town and Gown affair at Orleans (1387) | 683 |
OF VOLUME II, PART II.

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>An Easter Scene at Toulouse (1882)</td>
<td>684</td>
</tr>
<tr>
<td>Violence of medieval life</td>
<td>685</td>
</tr>
<tr>
<td>Drinking customs: at Examinations, &amp;c.</td>
<td>686</td>
</tr>
<tr>
<td>Oaths: their frequency and consequent prevalence of perjury</td>
<td>688</td>
</tr>
<tr>
<td>Irreverence and superstition: dicing on altars</td>
<td>689</td>
</tr>
<tr>
<td>State of Morality: testimony of Jacques de Vitry</td>
<td>690</td>
</tr>
<tr>
<td>Intellectual Enthusiasm: motives of the student</td>
<td>692</td>
</tr>
<tr>
<td>Aims and prospects of University Students</td>
<td>695</td>
</tr>
<tr>
<td>The Church and the Professions</td>
<td>696</td>
</tr>
<tr>
<td>No theological study for the mass of clergy</td>
<td>698</td>
</tr>
<tr>
<td>Religious Education: none for the Artist</td>
<td>700</td>
</tr>
<tr>
<td>Luther and the Bible</td>
<td>701</td>
</tr>
<tr>
<td>Ordination Examinations</td>
<td>702</td>
</tr>
<tr>
<td>Value of a Medieval Education</td>
<td>703</td>
</tr>
<tr>
<td>A training for practical life</td>
<td>707</td>
</tr>
<tr>
<td>Prominence of legal study: the lawyer-class</td>
<td>708</td>
</tr>
<tr>
<td>England and the Roman Law</td>
<td>709</td>
</tr>
<tr>
<td>Present influence of Medieval University Institutions</td>
<td>709</td>
</tr>
<tr>
<td>Epilogue</td>
<td>712</td>
</tr>
</tbody>
</table>

APPENDICES.

I. PAPER UNIVERSITIES                                             719
   Gray, Pamiers, Dublin                                            719
   Verona                                                           721
   Geneva, Lucca, Orvieto, Kulm                                    722
   Fermo, Calataydd, Lüneburg, Frankfurt-on-Oder                   723

II. ALLEGED UNIVERSITIES:
   Lyons                                                            723
   Reims                                                            724
   Alais, Parma                                                     725
   Nismes                                                           726
   Gaillac and Albi: Billom                                        727
   Milan                                                           728

III. LAW-TEACHING IN THE EARLY MIDDLE AGES                        729

IV. SOME BOLOGNA DOCUMENTS                                         731

V. FORM OF CONFERRING THE DOCTORATE in utroque
   jure at Bologna                                                  734

VI. THE ROMAN MUNICIPIA AND THE ITALIAN CITIES                     735

VII. SECESSIONS FROM BOLOGNA                                        736

VIII. LEONARD FIBONACCI, THE IMPORTER OF ALGEBRA                    736

IX. THE UNIVERSITY OF PARIS IN A.D. 1204                           737

X. THE ETERNAL GOSPEL                                               738
# CONTENTS OF VOL. II, PART II.

<table>
<thead>
<tr>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>XI. The Church and the Roman Law</td>
<td>740</td>
</tr>
<tr>
<td>XII. The Liber de Causis</td>
<td>741</td>
</tr>
<tr>
<td>XIII. The Examinations at Paris Illustrated by Bourges</td>
<td>742</td>
</tr>
<tr>
<td>XIV. The early Translations of Aristotle and Plato</td>
<td>744</td>
</tr>
<tr>
<td>XV. Female Graduation at Bologna, etc.</td>
<td>745</td>
</tr>
<tr>
<td>XVI. The Vercelli Contract</td>
<td>746</td>
</tr>
<tr>
<td>XVII. Papal Degrees</td>
<td>750</td>
</tr>
<tr>
<td>XVIII. Schools in London</td>
<td>751</td>
</tr>
<tr>
<td>XIX. Law Studies at Oxford in the Twelfth Century</td>
<td>753</td>
</tr>
<tr>
<td>XX. Aristotle in Oxford</td>
<td>754</td>
</tr>
<tr>
<td>XXI. Honorius III and Oxford</td>
<td>754</td>
</tr>
<tr>
<td>XXII. Conflict between Masters and Scholars at Oxford, ?1388</td>
<td>756</td>
</tr>
<tr>
<td>XXIII. An Oxford ‘Forma’</td>
<td>757</td>
</tr>
<tr>
<td>XXIV. The See of Lincoln from 1173 to 1209</td>
<td>758</td>
</tr>
<tr>
<td>XXV. Lost Colleges at Oxford</td>
<td>758</td>
</tr>
<tr>
<td>XXVI. Relics of the ancient Autonomy of the Oxford Halls</td>
<td>760</td>
</tr>
<tr>
<td>XXVII. The Cambridge Commencement</td>
<td>763</td>
</tr>
<tr>
<td>XXVIII. The Chancellor and Scholars of Salisbury in 1278</td>
<td>765</td>
</tr>
<tr>
<td>XXIX. A Day’s Work at Louvain in 1478</td>
<td>766</td>
</tr>
<tr>
<td>XXX. Statutes of the Oxford’Halls</td>
<td>767</td>
</tr>
<tr>
<td>XXXI. The Medical Books used at Montpellier</td>
<td>780</td>
</tr>
<tr>
<td>XXXII. The Present Jurisdiction of the Vice-Chancellor’s Court at Oxford</td>
<td>785</td>
</tr>
<tr>
<td>XXXIII. The present Constitution of the University of Oxford</td>
<td>791</td>
</tr>
</tbody>
</table>

---

## ILLUSTRATIONS.

An Oxford conveyance in c. 1170–1180, showing presence of Ligatores, Illuminales, Pergamenarii, &c.  *Frontispiece*

Map of Medieval Oxford, showing known sites of Halls, &c.  *to face p. 543*
CHAPTER XII.

THE ENGLISH UNIVERSITIES.
CHAPTER XII.

THE ENGLISH UNIVERSITIES.

§ 1. THE ORIGIN OF THE SCHOOLS AND UNIVERSITY OF OXFORD.

The first investigations into the history of the University were prompted by the dispute for antiquity and precedence with Cambridge in the sixteenth century, beginning with the Assertio Antiquitatis Oxoniensis Academia [by Thomas Kay or Caius], printed with Joh. Caius De Antiq. Acad. Cantab., Londini, 1568 and 1574; also edited as Vindicia Antiquitatis Acad. Oxon. by Hearne, Oxon., 1730. But the first work that can be called a history is Bryan Twyne, Antiquitatis Academia Oxoniensis Apologia, Oxonie, 1668. Twyne's view of the antiquity of Oxford was as superstitious as that of Caius; but his Apology represents an immense amount of laborious research, while his twenty-four vols. of MS. collections formed the basis of all later work. A debt very inadequately acknowledged by his better known successor, Wood. [Langbaine], The Foundation of the Universities of Oxford and London, 1651, contains nothing but a short account of the Colleges. The classical historian of Oxford is Antony Wood, whose immortal work appeared in a mutilated Latin translation as Historia et Antiquitates Universitatis Oxoniensis, Oxonie, 1674. The History and Antiquities of the University of Oxford, in its original dress of racy English (though not the actual work from which the Latin version was made) was only published by Gutch at Oxford in 1792-6. (References to Wood are always to this edition, where no work is specified.) Wood also wrote The History and Antiquities of the Colleges and Halls in the University of Oxford, ed. Gutch, Oxford, 1786. His Fasti Oxonienses was published as an Appendix to the last-mentioned work in 1790. (Another collection of Fasti is appended to the Athenae.) Wood's Survey of the Antiquities of the City of Oxford (written 1661-6) appeared in a much mutilated form as Sir John Peshall's Ancient and Present State of the City of Oxford, London, 1773. The original MS. has been edited in a most scholarly fashion by Andrew Clark, Oxford, Hist. Soc., 1889-90. The Athenæ Oxonienses, consisting of biographies of Oxford Writers and Bishops (London, 1691, 1721, and ed. Brill, 1812-30), only begins with the year 1500. Wood's successor as chief antiquary of Oxford was Thomas Hearne, whose rather trifling contributions to the medieval history of Oxford are scattered through his various works and editions, e.g. Roberti de Avesbury Historia. Oxonie, 1720, App. i. (where the 'Bedel's Book' is printed); Leland's Itinerary, vol. ii. (chiefly on the
There is a complete list of Hearne's writings in *The Life of Mr. Thomas Hearne, Oxford, 1772.* Aylytt, *The Antient and Present State of the University of Oxford* (London, 1714), is a readable abridgment of Wood continued to the writer's own times, with some documents. The only really valuable work done upon our history from the time of Wood down to the present decade was that of William Smith, by far the acutest and most critical of our Oxford antiquaries, who, in his *Annals of University College* (Newcastle-on-Tyne, 1728), was the first to dissect and expose the whole tissue of lies about Mempric, Alfred the Great, \&c., which have, however, hardly yet disappeared from serious histories. Of Peshall's [Anon.] *History of the University of Oxford to the death of William the Conqueror* (Oxford, 1772) the title is a sufficient criticism; his *History of the University of Oxford from the death of William the Conqueror* (Oxford, 1773) is a dry compilation from Wood, with a few documents in extenso. The *History of the University of Oxford* (printed for R. Ackermann, London, 1814), though in folio form, is little more than an illustrated guide-book Oxoniana (printed for Richard Phillips, London: no date, but about 1810) is a collection of gossiping extracts relating to the University. Chalmers, *History of the Colleges, Halls, and Public Buildings attached to the University of Oxford* (Oxford, 1810), and Ingram, *Memorials of Oxford* (Oxford, 1837), deal almost entirely with the Colleges and buildings. Skelton's illustrated *Oxonia Antiqua Restaurata* (Oxford, 1823; and ed. London, 1843) enables the reader to see what old Oxford was like. His *Pietas Oxoniensis or Records of Oxford Founders* (Oxford, 1828) is of less value. Huber, *Die Engischen Universitaten,* Cassel, 1839 (abridged Eng. Trans. ed. Francis W. Newman, London, 1843), is one of the most worthless University histories which it has been my lot to peruse: it may be described as a history written without materials. The English translation contains, however, as an Appendix, Thomas Wright's valuable *Historical Doubts on the Biography of Alfred attributed to Bishop Asser,* \&c. Cardinal Newman contributed a popular sketch of *Medieval Oxford* to the *British Critic* for 1838 (also in *Historical Sketches,* London, 1872). The same writer also deals with the history of Oxford in an article on *The Rise and Progress of Universities,* originally published in the *Catholic University Gazette,* 1854: but these charming bits of writing have no great value as history. Jeffreson, *Annals of Oxford* (London, 1871), is a lively réchauffe of the old materials, not without flashes of historical insight, but can hardly rank as serious history. James Parker, in *The Early History of Oxford,* Oxford Hist. Soc. 1885, has dealt very thoroughly with the early history of the town and the growth of the Oxford myth. Maxwell Lyte, *History of the University of Oxford* (London, 1886), is the first critical history of the University, and is generally accurate: I am especially indebted to Mr. Lyte's references. Brodrick, *History of the University of Oxford* (London, 1886), is a condensed sketch of Oxford history, which becomes increasingly valuable after the medieval period. Hulton, *Rites Oxonienses* (Oxford, 1892) is a lively popular sketch.

Cox (late Esquire Bedel), *Recollections of Oxford* (ed. 2. Oxford, 1870), is full of interesting notices of old customs. Little, *The Grey Friars in Oxford* Oxford Hist. Soc. 1892, is a most learned and painstaking piece of work. There is an earlier and very slight, but still useful, study on *The Blackfriars*

Prof. T. E. Holland has an article on The Origin of the University of Oxford in the Eng. Hist. Review of 1891, which summarizes the ascertained facts, and there are some suggestive remarks in his article on The Ancient Organization of the University of Oxford in Macmillan's Magazine for July, 1877. I have already explained my view of the origin of the University in the Church Quarterly Review for 1887, and in the Academy, No. 839, in a letter which was followed by a controversy between Prof. Holland and myself in Nos. 847, 848, 849, 850, 850.

A Registrum Privilegiorum alma Universitatis Oxoniensis, containing the Charters of Edward IV and Henry VIII, was printed at Oxford in 1770. But the early Statutes remained unpublished till 1868, when they were edited (not well, by Amstey in Monumenta Academica (Rolls Series'), with an interesting Introduction. [This collection represents the following MSS.—the Chancellor's Book known as A, the Proctors' Books B, C, D, the Register of Convocation Aa, and that of the Chancellor's Court, Aaa.] The Register of the University of Oxford (1449-1463: 1505-1622) has been edited by Boase Vol. I, 1885, and Clarke Vol. II. 1887-1889; Oxford Hist. Soc., a most laborious and important piece of work. A few—too few—medieval documents are printed in Collectanea Oxford Hist. Soc., Ser. 1, ed. Fletcher, 1885; Ser. 2, ed. Burrows, 1890. The Laudian Code of Statutes first printed at Oxford in 1634 before its final revision), by which with little modification the University was governed down to 1851, has been re-edited by Griffiths (with Introduction by Shadwell); Oxford, 1888. The Statutes of the Colleges of Oxford were printed 'by the desire of the Commissioners' of 1851 (London, 1833). Griffiths, Enactments in Parliament relating to the University of Oxford, Oxford, 1889, is very incomplete for the early period. Some documents relating to the University appear in Thorold Rogers, Oxford City Documents (Oxford Hist. Soc. 1891 and Ogyle, Royal Letters addressed to Oxford, and now existing in the City Archives (Oxford, 1892). There is a Rough List of Manuscript Materials relating to the History of Oxford contained in the printed catalogues of the Bodleian and College Libraries (Oxford, 1887) by F. Madan, who has also catalogued the Oxford City Documents, 1887: not published). I may also refer to the very valuable Catalogue of MS. Authorities used by Wood, which Mr. Clark has added to the last vol. of his edition of Wood's Life and Times.

My greatest obligations are after all to the invaluable collections of Bryan Twyne cited as Twyne), with the two earlier MS. collections of Robert


THE connexion of the University of Paris with the Palatine Schools of Charles the Great rests only upon a series of arbitrary assumptions. The theory which traces the origin of Oxford to Alfred the Great aspires to a foundation in contemporary evidence. The Oxford myth was long accepted on the authority of a passage in the Annals of Asser, Bishop of S. David’s. This passage is found neither in any extant MS. nor in the earliest printed editions, but made its first appearance in Camden’s *Britannia* in 1600 A.D.; whence, three years afterwards, it was transferred to his edition of Asser. The spuriousness of the passage, which is, indeed, sufficiently betrayed by its affected classicality of style, was demonstrated as long ago as 1843 in a dissertation appended to the English translation of Huber’s *English Universities*.

---

1 In the preceding year Mr. Thomas Wright (*Archologia*, vol. XXIX. p. 192) had called attention to the legendary character of the whole life: but the first modern historian who pointed out the probability of an insertion appears to have been Lappenberg in his *Gesch. von England*, Hamburg, 1834. I. p. 339 sq.

The passage begins thus:

> *Eodem anno [dcclxxxvi] exporta est pessima ac teterima Oxoniæ discordia, inter Grymboldum doctissimosque illos viros, quos secum adduxit, et veteres illos scholasticos quos ibidem invenisset; qui eius adventu leges, modos, ac prælegendi formularum ab eodem Grymboldo institutas omni ex parte amplexi recusabant. Per tres annos haud magna fuerat inter eos dissension, occultum tamen fuit odium, quod summa cum atrocitate postea erupit, ipsa erat luce clarius: quod ut se daret, rex ille invictissimus Alfredus, de dissidio eo nuntio et querimoniam Grymboldi certior factus, Oxoniam se contulit.*

> *Anglica, Normannica, Hibernica, Cambria, a Veteribus scripta, Frankforti, 1603, p. 16: Britannia, Londini, 1600, p. 331.*

In Savile’s ed. of Ingulf *Rerum Anglicarum Scriptores post Bedam*: Londini, 1596, fol. 513 b) there is a somewhat similar interpolation, making the writer study at Oxford in the twelfth century, as also at Westminster. Camden was Head Master of Westminster School.
and its coup de grâce at the hands of Mr. James \textit{Chap. XII, § 1.}

As the result of that writer's laborious investiga-
tion into the matter, Sir Henry Savile, of Bank\textsuperscript{2}, is left with a grave suspicion of having perpetrated the patriotic
and the illustrious Camden of having not quite
ly inserted it in his edition.\textsuperscript{3} When the supposed
n its simplest and least elaborate form, cannot be
further back than the \textit{Polychronicon} of Ralph
n who died in 1363.\textsuperscript{4} In fact, the whole story, with
first cycle of legend of which it is the nucleus—
ion by King Mempric, a contemporary of David,
re who came over with Brute the
after the fall of Troy, and were established at
ade, or Cricklade, in Wiltshire, and the subsequent
al of the University to Oxford—may now be
oned to students of comparative Mythology and of
ology of the human mind.

pains which have been expended in tracking to its
every single thread in the elaborate web of fiction
is solemnly presented in the guise of history by
Twyne, and with more reserve by Anthony Wood,
ly be regretted on account of the light which Mr.
's researches have thrown upon the early history of
. It is practically certain that the growth of
, or indeed of any considerable settlement, on the
existing City is certainly posterior, and in all
ility much posterior, to the Roman period. The
of S. Frideswyde supplies the earliest evidence
an even pretend to be called historical of the
ice of Oxford. That story is subjected by Mr. Parker

\textit{Early History of Oxford}

\textit{st. Soc. 1885.}

be distinguished from the
nown Sir Henry Savile of
\textit{Parker, p. 40 sq.}
\textit{VI. ed. Babington, p. 354).}
\textit{domo} incorporated in the
\textit{Chancellor's and Proctors' books, \textit{Mun. Acad., p. 367) is probably
of about the same date. The Mem-
pric story appears for the first time in the \textit{Historia Regum Anglorum} of John
Rous or Rosse, the Chantry-priest
of Warwick, whose history (if such
it is to be called) ends with 1486
A.D. ed. Hearne, Oxonii, 1716,
p. 90 sq...
Chap. XII, to a no less exhaustive examination than the Alfredian cycle. Its details—King Didanus and his consecrated daughter, her persecution by a wicked King of Leicester, the miraculous blinding of the King or his messengers, the spring that burst forth at Binsey in answer to her prayers—must of course be treated as legendary embellishments, but we may probably recognize in the legend a germ of historical fact, and accept it as pointing to the establishment of a community of nuns ascribing their origin to S. Frideswyde, somewhere about the traditional date 721 A.D. The foundation of this House—whether or not on the exact site of the modern Christ Church—is the earliest presumptive evidence for the existence of even the nucleus of the later town. The first actual notice of Oxeneford does not occur till the year 912. In that year, according to the Anglo-Saxon Chronicle, Edward the Elder 'took possession of London and Oxford, and of all the lands which owed obedience thereto.' Mr. Parker conjectures that it was on this occasion that the City was for the first time fortified, and finds in the Castle Hill the sole surviving relic of tenth century Oxford, and a second centre round which houses must have congregated.

Little more is heard of Oxford till the eleventh century, when it becomes a frequent place of meeting for the National Gemot as well as for ecclesiastical Councils. We are not, however, writing the history of the town, but of its University. Yet the fact just mentioned may serve in some measure to answer what is in many respects a perplexing question. Why should Oxford of all places have become the earliest and greatest national University? Ecclesiastically it was a place of very minor importance, and no historical prestige. It was not the see of a Bishopric. Its earliest ecclesiastical foundation—the House which, first as a nunnery, then as a College of secular Canons, lastly as a Monastery of regular Canons, occupied what is now known as Christ Church—was a poor and insignificant foundation, when compared with such Abbeys as Abingdon or

1 Parker, pp. 116, 324.
The Collegiate Church of S. George-within-
castle, built by the Conqueror's Norman Castellan
t d'Oilgi in 1074, was a mere Chapel. Even the
ier Osney was a House of the second rank, and was
ounded till 1129, Rewley not till after the rise of the
ersity. The foundation-bulls for erecting new Univer-
commonly recite in their preambles that the place in-
ion is adapted, by reason of the amenity and salubrity
air and the cheapness and abundance of victuals, for
ve of students. Medieval writers exhaust the resources
vocabulary in praise of the climate of Paris. Oxford,
ly as completely water-girt as Cambridge, could
have offered many attractions of that kind. The
commendation, cheapness and abundance of victuals,
y well have possessed. Another essential qualification
iversity town often insisted upon in foundation-bulls
ility of access. Oxford was marked out as a con-
t meeting-place, alike for the magnates attending a
il or Parliament and for the assemblage of teachers
ents from all parts of England, by its central-
ion. It was situated on the border between Wessex
eria—the two great divisions of the southern
ighest important and civilized half of the kingdom.
as not inaccessible from London, not too distant from
inent, and yet as conveniently situated as any
ern town could be for students from the far North
he far West. Not least important, it was on the great
r-way of the Thames. The strategic value which
ed from such a position led in the Conqueror's time
building of the existing Castle tower, which is still
first object that attracts the visitor's attention upon-
ing at Oxford by the railway, and later to the con-
tion of those venerable city-walls which still impart so
rm to the most delightful of College gardens. To
osition, too, must be ascribed the rapid increase in the

\*\*\* \n
anales Monastiri, ed. Luard, 9 Osney: Parker, p 306 sq.
1071. Ann. Mon. IV. p. 9. Mr. Parker (p. 303) thinks that the
tower was the chief addition now
made to the earlier Castle.
commercial importance of Oxford after the final cessation of Danish devastations, and especially after the beginning of the twelfth century, when one of the earliest Jewries was established within its walls. In short, Oxford must be content to accept its academic position as an accident of its commercial importance, not as the offspring of the often exaggerated importance and splendour of its Churches and its Monasteries.

Of course it would be absurd to attempt a demonstration _a priori_ that the first and most important English University could have arisen nowhere but at Oxford. But when it is remembered that a central position was a great _desideratum_, that only one of the largest towns in the kingdom would be equal to the housing and feeding of many hundreds or thousands of strangers, and that a Royal vill would be preferred for security and protection alike against hostile townsfolk and oppressive ecclesiastical authorities, it will be evident that hardly one other town could be named which satisfied in equal perfection the requirements of the case.

There has been something like a consensus among English writers before Mr. Lyte in connecting the origin of the Oxford Schools with some one or other of the conventual Churches of Oxford—with the Priory of S. Frideswyde's, with Osney Abbey, or with the Church of the

---

1 As to the whole history of the Jews in Oxford, see Dr. Neubauer's essay in _Collectanea_, II. p. 277 sqq. He has finally disposed of the theory which connects the origin of the University with the Jews—a view to which J. R. Green appears disposed to lean in his delightful sketch of the early history of the town, _Stray Studies_, London, 1876, p. 399.

2 Mullinger, _Cambridge_, I. p. 80; Anstey, _Mun. Acad._ p. xxxv; Brodrick, _Hist. of Oxford_, p. 3; Laurie, _Rise and early constitution of Universities_, p. 296. Mr. Lyte (p. 12) sees that the nature of the Chancellorship is fatal to a direct continuity between any monastic School and the University, but (p. 9) still seems to attach too much importance to these earlier and purely hypothetical monastic Schools. Prof. Laurie positively tells us that 'before the time of Alfred there were Schools in connection with the Priory of S. Frideswyde's.' If S. Frideswyde's existed before Alfred, it was a Nunnery. It is contrary to all analogy to suppose that a University grew out of a Monastery of Monks, to say nothing of a Nunnery.
Regular of S. George's-in-the-Castle. But, amid obscurity which hangs over the origin of the University Schools in connexion with which the University was never at any time dependent upon any or monastic body in Oxford. Had they been Masters and scholars would have been under the direction of some officer of that body, as the Masters were under the authority of the Chancellor of Dame. The situation of the Schools sufficiently to the improbability of the hypothesis. They were from the first established in the neighbourhood of S. Mary's, and not in the neighbourhood of S. Mary's. S. Mary's was, of course, only a Parish, which was borrowed for the University Congregation. As soon as the constitution of the University was known to us, the Masters and scholars are under the authority of the Chancellor of Oxford, an official elected Masters, but deriving his authority from the Bishop of London, and in no way connected with any monastic or other Church in Oxford. Had the Schools at one time connected with S. Frideswyde's or Osney, they could never have emancipated themselves from the jurisdiction of or or Abbot by a tremendous struggle, which could not have passed into utter oblivion without leaving a trace of itself behind.

suggestion of Dr. Hatch with of Church Institutions, 1887, p. 173 that the Chancellor of S. Frideswyde's to this objection. The first to the Chancellorship 'see 351' is of a kind which precludes such an explanation of the office. Small conveniences, in fact, did not usually Chancellors. Dr. Hatch to imply that the same as commonly styled 'Canon,' or 'Scholasticus.' Though the duties of the two officials were nearly identical, I have never found the titles used interchangeably. Besides, how could a monastic official have gradually got loosened from his Monastery, passed into a secular official, and into immediate dependence upon the Bishop?

9 The sole connexion between the University and S. Frideswyde's lay in the fact that the University Chest was lodged for safe custody at S. Frideswyde's. Had the Masters recently emancipated themselves from the jurisdiction of the Priory,
These considerations are amply sufficient to establish a probability, which in the minds of those who have followed the preceding account of the origin of other Universities will perhaps amount to a kind of intuitive certainty, that the origin of the Oxford School must be sought ab extra. In Northern Europe the Universities which originated by spontaneous development are always found in connexion with a Cathedral or great Collegiate Church, never in connexion with a Monastery: and Oxford possessed neither Cathedral nor Collegiate Church to account for the growth of its Schools. In Northern Europe the Schools are invariably found to be under the immediate supervision of some local ecclesiastical authority; while at Oxford the Masters seem at first to have enjoyed practical independence; and, when at length their Schools were subjected to ecclesiastical regulation, they were allowed to elect their own Superior, who was dependent only on the distant Bishop of Lincoln. The natural inference from these facts is that the School must have originated—

this is the last place where they would have put it. The authority quoted for the statement that S. Frideswyde's was at one time, before the Conquest, in the hands of the monks of Abingdon is Capgrave (Nov. Legenda Angliae, London, 1516, x. clii b., who says 'Abendoniensi abbati ecclesia sancte Frideswide cum possessionibus suis a rege quodam donata fuit' based on Ms. Chartularies of S. Frid., Ch. Ch. Library, No. 340, p. 8. But this state of things did not continue 'for two generations after the Norman Conquest' Brodrick, Hist. of Oxford, p. 48). On the contrary, Capgrave says that Abingdon was in possession 'per aliquot annos.' It is certain that the Church was in the hands of secular Canons at the date of Domesday and up to the time of the intrusion of the regular Canons. Bryan Twyne (ap. Dugdale, VI. p. 162a) speaks of a 'Monastery of S. Aldate's' as founded in 1122. The 'Monastery' of S. Alda is mentioned in the Chron. Mon. de Abendon, ed Stevenson (II. 1858, pp. 174, 213), on which his statement is based: but nothing is said as to the date of its foundation, nor indeed does it appear clear that there were then any monks in the House. In any case it must have been a very insignificant foundation. There is indeed no good evidence that there was any Benedictine House in Oxford till the foundation of the Benedictine Halls or Colleges, still less for connecting the origin of the University with any Benedictine Schools, a theory which Mr. Mullinger (Cambridge, I. p. 85) seems inclined to accept—in spite of his previous ascription to Oxford of an 'origin similar to that assigned to the university of Paris' (p. 80).
probably at the time of some ecclesiastical confusion—\( \text{Chap. XII} \) a migration from one of the great archetypal Universities. § 1.

No doubt a reader unacquainted with the history of other Universities will be disposed to ascribe an \textit{a priori} improbability to a theory which places the origin of a great University in some sudden and catastrophic movement of this kind. There will, however, be no such prejudice in the mind of the student familiar with the migratory habits of the medieval scholar and acquainted with the early history of academic constitutions. In ascribing the origin of Oxford to an academic migration I am at least ascribing it to a \textit{vera causa}, which is known to have produced the Universities of Reggio, Vicenza, Verceil, Padua, Leipsic, and other permanent Universities, to say nothing of the enormous number of merely temporary migrations.

If Oxford originated in an academic migration, it will hardly be disputed that its original Masters and scholars must have come from Paris, then the ordinary place of higher education for English ecclesiastics. Is there any trace of such a movement in actual history? Previous enquirers seem to have entirely overlooked the allusions to this movement, probably because they are of a kind which could not be discovered by turning out the word Oxford in the indices of the various contemporary chroniclers.

These allusions are sufficient to establish a high probability that the University of Oxford owes its origin to the quarrel of Becket with Henry II. In 1167 the exiled John of Salisbury, in a letter to one Peter the Writer, speaks of certain ominous events which had gone far to fulfil an astrological prediction about the issues of the current year. This prophecy contained the enigmatic statement that the votaries of Mercury (\textit{Mercuriales}) should be depressed: and in that year, the writer continues, ‘the \textit{Mercuriales} were so depressed that France, the mildest and most civil of nations, has expelled her alien scholars\(^1\).’ Is it not more

\(^1\) \textit{Bella et seditiones ubique fervent; Mercuriales adeo debessi sunt ut Francia, omnium milissima et civilissima nationum, alienigenas scholares abegerit}’ \textit{Materials for the History of Thomas Becket}, ed.
than probable, having regard to the state of relations between England and France, that the alien scholars were, or at least included, the subjects of the English king, especially since the English then formed by far the largest body of foreign students at Paris? The event thus obscurely alluded to may have been a measure of hostility aimed by the French King against the oppressor of Holy Church and the English ecclesiastics, who as a body sided with their King against their not yet canonised Primate; or this expulsion may be only rhetorically attributed to France, and the incident may really have been a voluntary exodus such as we have independent reasons for believing to have taken place at about this time. In any case, the movement must have been one of considerable magnitude, since it struck the imagination of contemporaries as worthy of being associated with the disastrous retreat of Frederick I from Rome and other events of European importance 1.

Among a series of ordinances directed against the partisans of Becket by Henry II occurs a provision that henceforth no clerk shall cross from the Continent to England or from England to the Continent without leave of the King or his Justiciar in England. Moreover, at the same time all clerks who possessed ‘revenues’ in England were to be summoned by the Sheriffs to return within three months ‘as they loved their revenues’. 2 There can be no doubt


1 See the context of the passage cited above.

2 ‘Nullus clericus vel monachus vel conversus vel alicuius conversationis permittatur transfretare vel redire in Angliam, nisi de transitu suo habeat litteras justitiae et de redivi suo litteras domini regis. Si quis aliter inventus fuerit agens, capiatur et in carcerecur. . . . Ut omnes clerici qui reditus habent in Anglia sint submoniti per omnes comitatus ut infra tres mensae veniant in Angliam ad reditus suos, sicut diligent reditus suos, et si non vereunt ad terminum statutum, reditus in manu regis capiantur.’ Vita S. Thomae, auctore Willielmo Cantuariensi, ap. Materials, &c. I. pp. 53, 54.

Here the constitutions appear under 1165; in Howden (ed. Stubbs, l. pp. 231, 232) under 1164; in Ger- vase of Canterbury (ed. Stubbs, l. p. 215), and Materials, VII. pp. 148, 149, under 1169. See the notes of Bishop Stubbs on Howd- den l. c, and of Robertson in
n the middle of the twelfth century scores, in fact \textit{Chap. XII, Sec. I.}
eds, of Masters and scholars benefited in England must \textit{Sec. I.}
been studying in the Schools of Paris. Equally little \textit{Sec. I.}
can there be that a large proportion of them 'loved' \textit{Sec. I.}
benefices. Hence we are absolutely bound to infer \textit{Sec. I.}
return to England in obedience to the Royal com- \textit{Sec. I.}
of a large body of Parisian Masters and scholars. \textit{Sec. I.}
\textit{Events, all communication with the Continent would \textit{Sec. I.}
been cut off for the Parisian students passing a vaca- \textit{Sec. I.}
non England, and for the intending freshmen of the \textit{Sec. I.}
at a time when probably some hundreds of young \textit{Sec. I.}
\textit{shmen annually left the shores of England for the \textit{Sec. I.}
\textit{ds of Paris. What became of this repulsed scholastic \textit{Sec. I.}
Nobody who knows anything at all of the habits \textit{Sec. I.}
medieval scholar will doubt that somewhere or \textit{Sec. I.}
in one town or in several—at least a portion \textit{Sec. I.}
\textit{es scholars would be sure to congregate under \textit{Sec. I.}
old Masters, and transfer to English soil their old \textit{Sec. I.}
s, their old discipline, and—so far as altered circum- \textit{Sec. I.}
\textit{es permitted—their old organisation. As a matter of \textit{Sec. I.}
ve hear of no such congregation of scholars except at \textit{Sec. I.}
v. If the recalled Scholars did not go to Oxford, \textit{Sec. I.}
did they go to?
\textit{Sec. I.}
\textit{d. The date of these ordinances is not quite certain. By \textit{Sec. I.}
of the chroniclers they are given under the year 1165, \textit{Sec. I.}
hers (with some variations) under 1169. The best \textit{Sec. I.}
critics agree in referring them to 1169, and there is no \textit{Sec. I.}
that, if the whole collection is to be referred to the \textit{Sec. I.}
year, they cannot be placed earlier. In that case the \textit{Sec. I.}
\textit{asion' alluded to by John of Salisbury cannot be con- \textit{Sec. I.}
d with the action of Henry II. But it seems quite \textit{Sec. I.}
able that the ordinances collected together by the \textit{Sec. I.}
iclers may really have been issued at different dates; \textit{Sec. I.}
that this particular edict may have been issued towards \textit{Sec. I.}
\textit{id's. I may add that the two \textit{Sec. I.}
\textit{ns do not seem quite con- \textit{Sec. I.}
\textit{with each other, and that they \textit{Sec. I.}
\textit{placed consecutively in spite \textit{Sec. I.}
of their relation to the same subject- \textit{Sec. I.}
matter, which seems to suggest that \textit{Sec. I.}
they may have been issued at dif- \textit{Sec. I.}
\textit{ferent times. \textit{Sec. I.}
§ 1. Chap. XII. the close of 1167, when John of Salisbury's letter must have been written. That hypothesis will account for the discrepancy between the various chroniclers. In that case we may definitely assign the birth of Oxford as a Studium Generale to 1167 or the beginning of 1168. If any doubt be entertained as to whether an edict against the 'transfretation' of 'clerks' would really have affected the scholars of Paris, we may appeal to a passage in one of Becket's own letters, in which he complains that the King 'wants (or wills) all scholars to return to their country or be deprived of their benefices,' while the correspondence of the Becket circle is full of allusions to the strictness with which the ports were watched in execution of the royal orders.

In connecting the sudden rise of Oxford into a Studium Generale with the recall of the English scholars from Paris by Henry II in or about the year 1167, I am far from denying that there were already, or had been at an earlier date, Schools of considerable importance at Oxford. A certain scholastic reputation, or a tradition of past scholastic reputation, may well have been one of the causes which attracted the recalled Parisians to Oxford rather than to any other of the few English towns whose size and situation fitted them equally well for the sudden reception of a large body of scholars.

1 'Vult etiam ut omnes scholares repatriare cogantur aut beneficiis suis priventur.' Materials, VII. p. 146. This letter is referred by Robertson to 1169, but apparently only in consequence of his view as to the date of the Edict.

The following passage from the Letters of John of Salisbury, though it does not mention Oxford, seems to point to the existence of a University town somewhere in England: 'Unde et studiis tuis congratulor, quem agnosco ex signis perspicuis in urbe garrula et ventosa ut pace scholarium dictum sit) non tam inutilium argumentorum locos inquirere, quam virtutum.' Materials, VI. p. 6. The letter is dated 1166 by Canon Robertson, and it must have been written after Whitsunday in that year when the Archdeacon of Poitou was excommunicated, but it may well have been written a year later. That his correspondent Black was in England cannot be proved: I can only appeal to the general tone of this and the preceding letter. He appears to have kept John of Salisbury informed as to the doings of the English Bishops.
There are two indisputable pieces of evidence, and one very questionable piece of evidence, which tend to prove the existence of not unimportant Schools at Oxford before the year 1167. The first, and by far the most conclusive, of these has been overlooked by all the more recent historians of Oxford. Two letters are preserved from a certain Theobaldus Stampensis, one of them addressed to Faritius, Abbot of Abingdon from 1101 to 1117; the other to the illustrious Roscellinus after he had been compelled to flee (possibly to England) from the violence of his theological opponents. The writer is described as 'Master at Oxford.' In other and earlier letters he appears as 'Doctor at Caen.' A comparison of dates then makes it clear that at some time before the year 1117 this French or Norman ecclesiastic, who had hitherto taught

1 Theobaldus Stampensis is mentioned by Wood (Annals, I. p. 140) as an Oxford doctor sub anno 1129: but later writers have probably been misled by the authority of Bale and Fabricius, who place him in the thirteenth century. Five letters of Theobald are printed in D'Achery's Speculum, III. (1793) p. 445, and Migne T. 169, p. 759. They are as follows:

1 'Ad episcopum Lincolnensem —De quibusdam in divina pagina titubantibus.' D'Achery gives the date 1108. The Bishop of Lincoln at this time (1093-1123) was Robert Bloet. The mistake as to the author's date seems to have arisen from confusion with the better known Robert Grossetête, Bishop of Lincoln 1235-1253. The object of the letter is to uphold the efficacy of 

	's Inc. 'Pharitio venerando Habendoneensis Ecclesiae prelato, domino suo et indubitanter amico Theobaldus magister Oxenefordiae.' On the certain damnation of unbaptized infants, &c. [As to date, see Chron. de Abingdon, ed. Stevenson, 1858, II. pp. 286, 290.]

1 Inc. 'Margaritae præcellentis reginae, præcellentis regis filiae, Theobaldus Stampensis, doctor Cadumensis.' This Margaret must be Queen Margaret of Scotland, who died in 1093.

1 Inc. 'Theobaldus magister Cadumensis Philippo amico suo desiderabili.' A violent attack on monasticism; in fact, an apology for clerical marriage or concubinage.

1 Inc. 'Roscellino Compendioso magistro Theobaldus Stampensis magister Oxenefordiae.' A violent reply to Roscellinus's attack on the preferment of priests' sons.

There is, of course, no authority for the statement of the authors of the Histoire Littéraire de la France (XI. p. 91) that Roscellinus 'excita de nouveaux troubles en Angleterre, dans l'académie d'Oxford, en soutenant que les enfants des prêtres ne pouvoient pas être élevés aux ordres sacrés.' These letters, unknown to any historian of Oxford, are mentioned by Cousin, Ouvrages inédits d'Abelard, p. xcvii.
CHAP. XII, at Caen, transferred his School to Oxford. A little tractate of his against the Monks, preserved in a Bodleian MS., proves that he was not a Monk, though he may very well have been teaching under the authority of the Canons of S. Frideswyde's. An anonymous reply to this very violent onslaught contains the interesting statement that he had under him at Oxford 'sixty or a hundred clerks, more or less.' The subject-matter of these literary remains

1 The MS. (Bodley, 561), written in the first half of the twelfth century, is an 'Improperium cuiusdam in Monachos' which begins—'Thurstanus Dei gratia laudabilis Eboracensis archieписcopo T. Stampensis, Magister Oxinforide' f. 61', and is directed chiefly against the practice of appropriating parish churches and serving them by monastic priests. The tone of the document may be inferred from one of the opening sentences: 'Aliud est ecclesia, aliud est monasterium. Ecclesia namque est conucatio fidellium, monasterium ucro locus et carcer damnatorum, i.e. monachorum qui se ipsos damnauerunt ut damnationem euitarent perpetuum.' Since Thurstan was Archbishop of York from 1119 to 1139, we get a terminus a quo. This treatise cannot have been written before 1139.

2 The passage is worth quoting in full:

'Et si usorum noveras uicia cleri-
corum (68), debueras tamen hono-
rem deferere timori magistrorum et
religiosorum canonicorum. O Co-
ridon, Coridon, que te dementia cepit!
Numquid non sunt ubique terra-
rum liberales magistri qui dicunt
etur clerici? Tu quoque nescio
quis non magistri uice sexagenos
aut centenos plusue minusue clericos
regere diceris quibus uendir ver-
borum cupidus officeris, forsitan ut
eos incautos nequissime fallas, sic
ut ipse falleris? Unde ergo ista tua
clericorum penuria?' Wood had
apparently only seen the extracts
from this MS. in James' MS. Ecodes
(in the Bodleian), but Twyne (Antiq.
Acad. Oxon. Apol. p. 34) has read
the original MS. This extract ap-
ppeared in The Academy, no. 890;
Prof. Holland has published further
extracts in Collectanea, II. p. 136.

It is observable that the monastic
Apologia throughout opposes canons
to monks. The controversy forms
part of the great struggle of the time
between the monks and the secular
(and usually married) canons. At
the same time it should be observed
that even regular canons seem to be
included with the 'clerici' and
grouped against the 'monachi.' The
tractate is largely occupied with
proving the necessity of celibacy for
canons (whether regular or secular
as well as for monks. The follow-
ing extract will illustrate these re-
marks:

'Veruntamen cum sit quod monas-
terium est locus et carcer damnato-
rum, i.e. monachorum, cur oblivus
est. ut quidem uulgo loquar, et regu-
larium canonicorum? An ignorant
quod sanctus Augustinus ypopo-
nium ueniens concedente Ualericie
uncia episcope monasterium funda-
uerit, in quo se et fratrees suas
seruitium Christi de mundana con-
versationsine predicando subtraxerat
aggregatit? Sic enim de illo scrip-
tum legimus. . . . Constat itaque
monasterium esse tam canonicorum
makes it plain that he was a Theologian, while he appears to be also included by his opponent among the category of ‘liberal Masters.’ Another Theologian is mentioned as teaching in Oxford in the year 1133. This was Robert Pullus or Pullen, the author of one of the most important collections of ‘Sentences’ eventually superseded by the more famous work of Peter the Lombard, which is, however, largely based upon the work of his English predecessor. He was afterwards a Cardinal and Chancellor of the Holy Roman Church.

Far more doubtful is the received opinion that the eminent Lombard Jurist Vacarius taught at Oxford in the year 1149. It is certain that some years before this date

quam et monachorum. Quare ergo obitus est et canonicerum? Forsitan se damnarentur canonici sicut et monachi? (f. 69 a).

Whether the regular or Augustinian canons turned out the Seculars at S. Frideswyde’s in 1111 or in 1122 appears to be doubtful, see Dugdale, Monasticon Anglicanum, ed. Caley, II. p. 134; Matt. Paris, Chron. Maj., ed. Luard, II. p. 139; William of Malmesbury, Gesta Pontificum, ed. Hamilton (1870), p. 316; Wood, Athm. I. pp. 138, 139. According to the S. Frideswyde’s Chartulary MS. Ch. Ch. Library, p. 8. Cf. Twyne, Antiq. Acad. Oxon. Apologia, p. 224, the transferece took place circa 1122, and this is probably the true date. If so, Theobald must have taught before the expulsion of the Seculars; in any case, he was no doubt a Secular himself, teaching probably more or less under the authority of the Canons.

1 The passage in the Osney Chronicle runs:—MCXXXIII. Mag. Robertus Pulcin scripturas divinas quae in Anglia obsoluerant, apud Oxoniam legere coepit. Qui postea cum ex doctrina ejus ecclesia tam Anglicana quam Gallicana plurimum profectisset a Papa Lucio secundo vo-
catus et in cancellarium Sanctae Romanae ecclesiae promotus est’ (ed. Luard, Annal. Monast. IV. pp. 19, 20). The ‘Continuator of Bede’ (Bodley MS. 712, f. 275) says:—‘Eodem anno (1033) venit Robertus cognomento Pullus de ciuitate Exonia Oxenfordiam ibique Scripturas divinas, quae per idem tempus in Anglia (sic) absolute erant, et scholasticis quippe neglecte fuerant, per quinquennium legit, omnique die dominico uerbium Dei populio predi-
cavit, ex cujus doctrina plurimi pro-
feecerunt.’ The MS. belongs to the fourteenth century. The statements in the last two clauses are no doubt a rhetorical flourish and have a suspicious resemblance to the passage about Cambridge in the Ingulfine forgery (see below, p. 545). The passage is probably a rhetorical amplification of the Osney Chronicler’s statement.

CHAPEL XII. he was brought to England by Theobald, Archbishop of Canterbury, to assist in the settlement of that prelate's dispute with Henry of Blois, Bishop of Winchester. Several historians mention the fact that he was the first teacher of the Civil Law in England. But only one writer, Gervase of Canterbury, mentions that this teaching was at Oxford. From the way in which John of Salisbury speaks of the Civil Law lectures, it is more than probable that he meant them to have taken place in the 'household' of Archbishop Theobald, in which it is independently certain that lectures and disputations were held on a scale which led Bishop Stubbs to speak of this Palatine School as a kind of 'University.' John of Salisbury was a member of the

1 The passages alluded to are as follows:—
(2) 'Alios uidiquilibus legis deputant ignem, nec scindere vererentur si in manus eorum iura peruenirent aut canones. Tempore Regis Stephani a regno iussu sunt legis Romane, quas in Britanniam domus venerabilis patris Teobaldi, Britanniarum primatis, asciuerat. Ne quis enim libros retineret edicto regio prohibitum est, et Vacario nostro indicum silentium: sed Deo faciente eo magis utius usus legis inaulit quo eam amplius nitebatur impietas infirmare.' J oh. Saresberiensis, Polyhronia, VIII. c. 22 (MS. Barlow 6 in Bodleian).
(4) 'Magister Vacarius, gente Longobardus, vir honestus et iurisperitus, cum leges Romanas anno ab incarnatione Domini 1149 in Anglia discipulos doceret, et multi tam divites quam pauperes ad eum causa discendi confluerebant, suggestione pauperum de codicet digesta excerptos novem libros composuit, qui sufficiunt ad omnes legum lites quae in scholos frequentari solent dedicendas, si quis eos perfecte novebit.' Rob. de Monte, Chronica (Migne, T. 160. 466) (repeated in the Chronica Normanniae, in Duchesne, H. Norm. SS., 1619, p. 983).

It is observable that Gervase evidently knew very little about the history of legal study, since he makes Gratian teach at Rome. T'Actus Pontificum was written at the earliest in 1199 (I. p. xxvii); the N is after the second half of the thirteenth century.

Cf. also Bacon, Opera Inedita, 137; Brewer, p. 450. Of modern writers who have dealt with Vacarius, the most important is Wenck, Magister Vacarius, Lipsiae, 1830: Leipziger litteratur-Zeitung, 1831, nos. 273. See also Holland in Collectanea, p. 165.

1 On these Archiepiscopal Schools see Bishop Stubbs' delightful L
Archbishop's household at the time and cannot have been mistaken. If therefore his statement is inconsistent with that of Gervase, there can be no doubt which of them is to be accepted, since Gervase wrote at the beginning of the following century. But it should be observed that Gervase does not explicitly put the Oxford teaching in 1149. His language is consistent with the supposition that this teaching took place at some later date, and it is certain that Vacarius was living in England as late as 1198. It is likely enough that Gervase made a mistake.

chrones on Med. and Mod. Hist. pp. 130-1, 142 sq. By a singular coincidence Peter of Blois (Ep. vi. ap. Migne, T. 307, c. 17) actually speaks of the clerks in the Archbishop's household as a 'Universitas': 'quod si Deus minori quae potiora sunt revellverit, ejus sententia sine omni iuvectia et depravatione universitas acquiscit.' Of course, the word is used non-technically. The study of the Roman Law in England during the second half of the twelfth century was much more vigorous than is commonly supposed. It was not till the following century that it was finally decided that the old common law of England was not to be superseded or modified by the Civil Law of Rome (as was the case in so large a part of Europe), and that the common-law bar was not to be supplied by University-bred ecclesiastics and Civilians. For the number of books on Civil or Canon Law composed in England about 1150-1200 see Caillemer, Le Droit Civil dans les provinces Anglo-normandes au xiii e siècle in Mem. de l'Ac. des Sciences etc. de Cern, 1883, p. 156 sq.; and for an alleged attempt to organise Roman Law teaching in London, Appendix xviii.

Hoveden, ed. Stubbs, IV. p. 75. He is also mentioned as a Canon of York in a bull addressed in 1171 to the Archbishop of Rouen respecting the absolution of the Archbishop of York. Materials, VII. p. 503; cf. Migne, T. 190, c. 407. A 'magister vacarius' appears in connexion with the North of England in 1175. Cartul. abbat. de Rievaulx, ed. Atkinson (Surtees Soc. 1889), p. 83 (noticed by Liebermann, Deutsche Zeitschr. f. Geschichtswissenschaft, B. iii. p. 195). See also Holland in Collectanea, II. p. 170. Prof. Holland has made a very useful collection of the twelfth-century allusions to Oxford hitherto pointed out, but he adds nothing to the above notices for this period except a passage about Robert of Cricklade, afterwards Prior of S. Frideswyde, of whom he says: 'There is no reason to suppose that the schools in question (in which he was 'Magister Schol. when young') were situated elsewhere than at Oxford, in which city and its neighbourhood this great scholar seems to have passed his life' (p. 142). Of the gratuitousness of this last assumption readers may judge from the fact that Robert became a Canon Regular at Cirencester (see below, p. 344). Prof. Holland is evidently influenced by the tacit assumption that there were Schools nowhere else but at Oxford. Theobaldus Stampensis tells us that there were Schools at this time in
about the date, if not about the place, of Vacarius' law
teaching. The fact that Vacarius' Liber Pauperum, a com-
pendium of the Civil Law, occupied a prominent place in
the studies of Oxford towards the end of the century, confirms
Gervase's statement that he did teach at Oxford, but it is
quite as likely that the teaching was after 1167 as before it.
But whatever may be thought as to the place or date of
Vacarius' teaching, the question has little bearing upon
the problem with which we are now concerned. The
question is not how there came to be Schools in Oxford,
but how these Schools grew into a Studium Generale.
Up to 1167 we have no evidence of the existence in Oxford
of more than one Master at a time: a single Master does
not make a University. There were other Schools in England
quite as important as we have any reason for believing
Oxford to have been in the time of Theobald or Pullen or
Vacarius, if the last really taught here before 1167. The
question is 'Why did Oxford alone of all these Schools

in urbibus et castellis, eter num et in viulis, peritissimi scolarum
magistri quod piscorum regalium exactores et ministri' (Bodley MS. 561,
f. 68 b).

My doubts on the subject of Vacarius were suggested by Schaar-
schmidt (Johannes Sarusbornensis, Leipzig, 1869). At the same time
I must point out that he unjustifiably passes over in silence the testimony
of the Osney Chronicler and makes the statement as to Pullus rest on that
of the anonymous continuator of Bede only. His view that the Stu-
dium had no existence (in post-
Saxon times) till 1229 p. 19 is
simply absurd, and could hardly have
been made even by Schaar-
schmidt since publication of the Munimenta
Academica. This excessive scepti-
cism is the more remarkable in a
writer who appears inclined to swal-
low the Alfredian story.

See the account of Daniel of Merlac
or Morley who, arriving from Toledo
some time between 1175 and 1200,
describes England as wholly given
up to the study of Law ('Pro Titio
et Seio penitus Aristoteles et Plato
oblivioni darentur') and continues
'Tum ne ego solus inter Romanos
Græcos remanerem, ubi huiausmodi
studium flore didiceram, iter arri-
pui.' (There can be little doubt that
the place was Oxford; observe that
the Studium seems to have sprung
up since the writer left England.)
The passage is printed by Holland,
Collectanea II. pp. 171-2 (cf. below,
p. 347, n. 1). In 1187-1200 Giral-
dus Cambrensis tells a story 'de clerico
Oxoniens, nomine Martino,' from
which it appears that the Oxford
Law-students were styled 'Pauperi-
iste.' But see below, App. XIX.
In 1195 Giraldis Cambrensis makes
the Archbishop hold a Court at Ox-
ford 'praenentibus scholaribus multis
et iurispretiditis.' (Opera, ed. Brewer
II. p. 345.)
grow into a Studium Generale? It is, of course, in itself conceivable that such a Studium may have grown up by purely spontaneous evolution. I have already given reasons for believing that Oxford did not develop in this way. Unless we are to reject all the evidence that we possess as to the Schools of the twelfth century in France and England, we must suppose that Theobald and Pullen taught in connexion with one of the great Churches, probably S. Frideswyde’s. Or if a great Master of established repute from Caen or Paris or Bologna may conceivably have been allowed to lecture in defiance of the usual rule without any special authorisation, this supposition cannot be allowed in the case of the humbler Masters of Arts who formed at Oxford and Paris the true nucleus of the University. The hypothesis of a migration is the only one which will account for the independence of the Oxford Masters and the absence of any organic connexion with an Oxford Church. Evidence has been given to show that such a migration from Paris to England did take place about the year 1167. No doubt we cannot prove that the Masters and scholars expelled or recalled from Paris in or about 1167 came to Oxford. All we can show is that the prohibition to study at Paris would naturally tend, sooner or later, to the formation of a Studium Generale in England; that we hear nothing of a Studium Generale for half-a-century after 1167 except at Oxford; that at Oxford there is no evidence of a Studium Generale before 1167, while there is such evidence within a very few years after 1167. The method of exclusions is accounted a good one even in Physical Science. A hypothesis which alone explains all the facts and which is alone in accordance with all known analogies, is entitled to at least a provisional acceptance.

The last link in this chain of circumstantial evidence

1 I do not assert that the connexion of the migration with Oxford is direct and immediate. For (1) the expelled scholars may have halted at and temporarily studied in some other town or towns. (2) Or several Studia may have been set up while only one prospered: as happened with the migration from Oxford in 1209, see below, p. 349. (3) Less probably, the Studium may have been originally formed by
remains to be set up. It is not merely in their number but in their character that the allusions to Oxford Schools after 1167 differ from the earlier notices. One Master, even if he enjoys a following of ‘sixty or a hundred scholars, more or less,’ does not make a Studium Generale. After 1167 the notices are precisely of the kind which do

students prevented from going to Paris. In this case most of the Masters must have been Paris Masters, since most highly educated Englishmen (except lawyers had studied at Paris; and these would naturally have been joined by new arrivals from the Continent. The first sup-
positions are in accordance with numerous analogies; at the same time there is no evidence for them. What we can be morally certain of is some causal connexion between the proved interruption of intercourse with Paris, en 1167, and the proved emergence of Oxford into a Studium Generale soon afterwards.

1 We should indeed have to add a most important piece of evidence to those already adduced if there were any ground for the theory that John of Salisbury studied and taught at Oxford in the middle of the twelfth century, and that his de-
scription of the scholastic logomachies of his day refers to the schools not of Chartres and Paris but of Oxford. It is sufficient here to say that the theory is devoid of all direct evidence, is very difficult to accommodate to what we know of the facts of John of Salisbury’s life, and has arisen merely from an un-
critical acceptance of Wood’s conjecture I. 143 that because John of Salisbury mentions Robert Pullus as one of his Masters, and Pullus is recorded to have at one time taught at Oxford, it was at Oxford that John of Salisbury heard him. The theory, accepted by Huber, was elaborately defended by Christian Petersen in his edition of John of Salisbury’s Entheticus de Dogmate Philosophorum (Hamburg, 1843, pp. 68–81), where the above-mentioned description occurs. Moreover, in the celebrated piece of autobiography in Metalogicus, ii. c. 10 we read ‘Extraxerunt me hinc (i.e. from Paris) rei familiaris angustia, sociorum petito et consilium amicorum, ut officium docentis aggregender. Parui. Reversus itaque in fine triennii reperti magistrum Gilbertum ipsumque audivi. . . . Successit Robertus Pullus.’ The ‘return’ was probably to Paris, though it may conceivably have been to Chartres. Petersen as-
sumes that the return was from England. Schaarachmidt (pp. 15–21) successfully shows the baselessness and extreme improbability of this view, though some of his reasoning is not conclusive. The officium docentis was more prob-
ably exercised somewhere in the country (not necessarily at one place) than (as Schaarachmidt sup-
poses; at Ste Genevieve. Mr. Mul-
linger tells us that ‘John of Salis-
bury, writing about the year 1158, relates how, when he returned to Oxford after his residence at Paris, whither he had gone to study the canon law, he found the wordy warfare raging with undiminished vigour’ (Cambridge, i. p. 56), thus bringing John to Oxford not once but twice; while an Oxford his-
torian says ‘We have the positive testimony of John of Salisbury,’ &c.
point to the existence of a Studium Generale in the looser and earlier sense of the word, i.e. to the existence of Schools in more than one Faculty, taught by many Masters, attended by a numerous body of scholars, and by scholars from distant regions. Some of them likewise show slight traces of a germinal organisation similar to that which had just begun to ripen in the Schools of Paris.

The earliest allusion to the Schools of Oxford after 1167 which previous historians have had before them, is contained in the amusing account given by the Welsh traveller and historian, Giraludus Cambrensis, of his visit to Oxford about the year 1184 or 1185 when, as he recounts in the most flattering of all Autobiographies, he read his recently composed book, the Topographia Hibernica, before the assembled Masters and scholars. But the story shall be given in his own words. He is modest enough to put his self-panegetic into the third person:

"In course of time, when the work was completed and corrected, desiring not to hide his candle under a bushel, but to place it on a candlestick so that it might give light, he resolved to read his work at Oxford, where the clergy in England chiefly flourished and excelled in clerkship, before that great audience. And as there were three distinctions or divisions in the work, and each division occupied a day, the readings lasted three successive days. And on the first day he received and entertained in his Hostel all the poor (i.e. poor scholars) of the whole town; on the second all the Doctors of the different Faculties, and such of their pupils as were of greater fame and note; on the third the rest of the scholars with many knights, townsfolk, and burghers. It was a costly and noble act, for the authentic and ancient times of the poets were thus renewed, nor does the present or any past age recall anything like it in England."

1 Giraludus Cambrensis, ed. Brewer, I. pp. 72, 73. For other allusions to the same event, cf. l. e. I. pp. 291, 309; III. p. 93. In the last place the versifier and satirist Walter Mapes or Map, Archdeacon of Oxford, is spoken of as 'Magister Oxoniensis.'
Here then we have suddenly revealed to us the existence of a Studium on a very much larger scale than any ordinary Cathedral or monastic School. One at least of the characteristics which differentiate the Studium Generale from such Schools is presented to us in the number of Masters, and of Masters in several Faculties, who attended these readings of Giraldus. This is the first piece of evidence which supplies the smallest reason for attributing to Oxford any scholastic reputation beyond what was possessed by Lincoln or Hereford or St. Alban’s; and now, we are told, the reputation of the Oxford ‘clergy’ exceeded that of any other city in England. The suddenness of this rise of the Oxford School is a phenomenon which can hardly be accounted for by any other hypothesis than the one here propounded. But the evidence relates to the year 1184 or 1185. Is it probable, it may be asked, that so large a body of scholars as the migration theory postulates should have congregated in Oxford even for a period of some eighteen years without any other evidence of their existence? I believe it is possible to push back the direct evidence for the existence of a Studium Generale to within a few years of the date at which we have circumstantial evidence of migration of Parisian Scholars into England.

In a recent volume of the Acta Sanctorum there has been published a very curious account, written by one of the then resident Canons, of the ‘translation’ of the body of S. Frideswyde to the new shrine erected for its reception in 1180. Among the miracles which apparently took place immediately after the translation, we read of the cure of a scholar. The mere fact that there was one scholar in Oxford will not prove much for the importance of its Studium any more than the existence of a single Master in 1110 or 1133. But the significant fact is that the scholar was a native of Yorkshire and had come all the way to Oxford ‘for the sake of his studies’.

1 'Morabatur eo tempore apud Oxenefordiam studiorum causa clericus quidam Stephanus nomine, de Eboracensi regione oriundus,' etc. A. S. S. Oct. 29, p. 579. I owe this reference to the kindness of the
schools were already de facto what would afterwards be called a Studium Generale.

Second evidence of a University prior to 1185 is dated conveyance. Bryan Twyne relies much, in his preposterous theories as to the antiquity of university, upon the bonds and similar documents to property which are preserved amongst the records of the University. An examination of these entries, however, discloses only one which proves the existence of a Studium at an earlier date than 1200. This entry is a transfer of property in 'Cattestreet', close to Mary's Church. Among the parties or witnesses to the names of one bookbinder, three illuminators, one and two parchmenters—all evidently residing in the immediate neighbourhood of S. Mary's, close to the School of later times. However they got there, it is evident at a time that Oxford is a city of Schools. On palaeographical grounds it is certain that the document cannot have been later than 1180, if it is not a little earlier, while ministration of the names and subsequent appearances of witnesses makes it clear that the date cannot be back much before that year.

D. Macray of the Bodleian: I cannot escape Twyne MSS. 13:

It is true that Wood (l. p. 136) says: 'in the ancientest...where they do not their evidence. And it is said that Wood does not extant, though he insinuates, as 'ancientest evidences' to the reign of Stephen. Queries and investigations have been able to make as to ge Muniments lead me to believe that no such documents of King Stephen's reign exist in Oxford. There are certainly none in the University Archives.

But by a blunder of the now extinct Local Board this ancient thoroughfare (leading from Broad Street to the High Street along the front of Hertford College) is now officially designated Catherine's Street, as though the ancient 'Cat-street' was an abbreviation of Catherine Street, an assumption for which there is no evidence.

Such is the opinion of Mr. Macray; and he inclines to place it rather earlier. On the other hand, the use of the form Oxonia which elsewhere, I think, does not occur before 1190, is an argument against
Another fresh piece of evidence brings us still closer to 1167. Among the persons cured at the tomb of S. Thomas was Robert, Prior of S. Frideswyde’s at Oxford. In giving an account of his previous sufferings, the Prior reminds his hearers how he used to ask to be allowed a chair when preaching in the presence of ‘clerks from various parts of England.’ The Icelandic Saga on the death of Thomas shows that the cure cannot have occurred later than 1172.

At this date, then, we have established the existence at Oxford of precisely what constituted a Studium Generale in the earliest sense of the word—i.e. of a body of scholars, large enough to demand University sermons, and coming from distant regions. Sermons would hardly have been provided for less than a few hundred scholars. Such are the numbers of the Oxford Studium within a few years after 1167. At about the same time, Oxford is mentioned in a contemporary letter, and in a current prophecy of Merlin, in significant juxta-position to Bologna and Paris.

1 Testis est mihi populus civitatis nostrae, quem cum in festis diebus, quando loquebar ad eos ... cum interessent etiam clerici diversorum locorum Anglie, prætendebam excusationem standi, etc. Materials, &c. II. p. 90.

2 See Thomas Saga Eribydupe, ed. Magnusson, II. (London, 1883), pp. lxxiv sq., 92 sq. From frequent allusions in the Saga it is clear that Robert was one of the biographers of S. Thomas.

3 Verumtamen indomita cervice ferox post vocationis meæ litteræ nunc agere causas Parisiæ, nunc reverti Bononiam, nunc Lincolniam profiscisci, nunc morari Oxenfordiae ordinam et disponam’ (Migne T. 207, c. 185). This passage occurs in a letter from Geoffrey (Plantagenet, Bishop-elect of Lincoln to a Magister Robertus Blondus, and must belong to the period between 1173 and
After such evidence it may seem scarcely worth to mention an allusion to a certain 'Chaplain and scholar of honest conversation' in a fragment of the Llanthony Chronicle preserved by Twyne, but it is significant that the incident relates to the time 'when the blessed Thomas, Archbishop of Canterbury, was in exile': and also that the Chaplain is described both as a Master and a scholar, i.e. a Master of Arts and a scholar in a superior Faculty. Here then we have evidence of more than one Faculty within some two years after our presumed migration.

The conclusion to which all this evidence points is that the real beginning of the Studium Generale at Oxford is due to the settlement therein of a body of Masters and scholars in or about 1167, in consequence of an exodus from Paris caused by the Royal edict, and the cutting off of free access to the great centre of European education. The case is not proved, but the evidence for it is as strong as circumstantial evidence can well be. It must be added that the evidence is of a kind which at every point appeals to the reader's familiarity with the state of education in the Middle Ages: everything turns upon a due appreciation of two facts: first, the close dependence of the Schools in Northern Europe upon Cathedral or other important Churches, and secondly, the habit of gregarious migration characteristic of medieval scholars. Even the evidence produced in this book gives but a faint idea on the one hand of the universality of this dependence upon the Cathedral Chancellor or Master of the Schools, on the other hand of the frequency with which wholesale migrations appear from University

118a. Oxford is also associated with Salerno, Montpellier, Paris, and Bologna by Alexander Neckam, who says that 'luxta vaticinium etiam Merlini, viguit ad Vada Boum sapientia' (De Naturis Rerum, ed. Wright, p. 311.) Mr. T. A. Archer was good enough to point out to me that this prophecy does not occur among the earlier editions of Merlin's predictions. Would not a sudden immigration be more likely to give rise to new prophecies or interpretations of prophecy than a slowly evolved University?

1 'Ex relatu Magistri Ricardi de Buleia, quidam capellanus erat Oxoniæ et scholaris honestae conversationis tempore scilicet quo beatus Thomas Archiepiscopus Cantuariensis futurus Martyr exulabat in partibus transmarinis,' Twyne, XXII. 162.
CHAP. XII, records to be threatened or contemplated even when they are not actually carried out. The reader may be reminded of a single illustration: a century later Walter de Merton was afraid to localize his College in Oxford lest perchance the Studium should be transferred elsewhere.\(^1\)

We need not suppose, indeed, that the academic population of Oxford continued to be as large as it probably was during the continuance of the edict against clerical ‘transfretation.’ We have seen what rapid vicissitudes of fortune attended the infancy even of later and more formally instituted Universities. The numbers attending the Oxford Schools would naturally fluctuate with every change in the political relations between France and England; and in the years 1175–1185 there was a succession of ruptures between the two countries, each of which might divert a fresh party of intending students from their projected journey to the French capital, while each short-lived peace would lead to a depletion of the Oxford Studium in favour of its more famous prototype.\(^2\) But, though there must no doubt have been fluctuations, there is every reason to believe that on the whole the numbers of the University must have rapidly increased, especially during the last decade of the twelfth and the first decade of the thirteenth century.

The difficulty of supposing that the Schools of Oxford can have, gradually and unaided by any sudden accession from without, grown to the size and importance which they have attained by about 1170 without further evidence of their existence than is supplied by the mention of two or three solitary Masters is enhanced by the frequency with which, when once this date is passed, the allusions pour in upon us. I have already spoken of the notices belonging to the years before Giraldus’ visit in 1184 or 1185. Later on, about

---

\(^1\) See below, p. 483.

\(^2\) The effect of an outbreak of hostilities between England and the French King is well illustrated by an incident in the life of Giraldus Cambrensis who was thus prevented from going to study Theology at Paris in 1192 and went to Lincoln instead. *Opus*, I, p. 93.
ear 1190 we read of a student from the low countries, the common Studium of letters was at Oxford.

Common is, of course, a synonym General, and this is perhaps the first instance of the use of this technical expression in any of its forms.

Richard of Devizes speaks of the clerks of Oxford numerous that the city could hardly feed them.

the seventh and eighth years of Richard I there occurred in the Pipe Rolls of payments to scholars maintained at Schools of Oxford by the Royal bounty. In 1197 Abbot of St. Edmund's Bury—the Abbot Samson—entertained a numerous number of Oxford Masters on a visit to the town. At about the same date Thomas de Marleberge, afterwards Abbot of Evesham, taught Canon and Civil Law at Oxford.

Qui cum mare versus Angliam etatus sue quasi so, transisset unius causa studii litterarum fuit Oxonie, estutat uberius ibus artibus se implicare.'

is Chronicon ap. Pertz, Mon. Hist. SS. XXIII. p. 467. The Memorials of S. Edmund's Abbey, ed. Arnold, p. 295. Carlyle talks about 'the veritable Oxford Caput,' whatever that may mean 'sitting there at dinner,' without a shadow of justification from the Chronicle. (Past and Present, Bk. II. ch. 16.)

Ingressus suo attulit secum libros utriusque juris, canonicis scilicet et civilis, per quos rexit scholas ante monachatum (circa 1100): apud Oxoniam et Exoniam. A number of other works are mentioned, books of Cicero, Isidore, Lucan, and Juvenal. Chron. de Evesham, ed. Macray.
while a correspondent of the Prior of Osney alludes in the inflated style of the period to the neighbouring City ‘in which abound men skilled in mystic eloquence, weighing the words of the law, bringing forth from their treasures things new and old’. Finally, the year 1209 introduces us to an academic population of no less (according to a contemporary estimate) than 3000 souls. It was in this year that the event occurred which utherers in the documentary period of Oxford history.

There is a remarkable parallelism between the events of the year 1209 at Oxford, and the events which in 1200 led to the grant of the Charter of Philip Augustus at Paris. The killing—quite accidental as we are assured by our clerical historian—of a woman by a scholar provoked a raid by the Mayor and burgesses upon the offender’s Hostel. Several clerks were apprehended. All England was now distracted by the great quarrel between Innocent III and John. The country at large lay under interdict: the property of the Bishops was under sequestration: the King himself was excommunicated or threatened with excommunication. Under such circumstances it is not surprising to hear that John eagerly gave his consent to the execution of two or—as some accounts say—three of the imprisoned scholars. The

markable that among the books of ‘Physics’ which follow is a ‘liber
Democriti.’

Senatus, Prior of Worcester (1189 to 1196). He expresses sur-
prise that he should be consulted on
a point of Canon Law by one living
near Oxford: ‘Quod et uobis pro-
pone propter adiacentem urbern
in qua abundant prudentes eloquii
misticici, ponderantes uerba legis,
proferentes omni poscenti de the-
sauru suo noua et uetera.’ The first
of the questions propounded was,
‘utrum sacerdotes omnes sicut or-
dine ita indifferenter uti quae
claium potestate ligare sese et sol-
uecre, transeundes quoque et scolarum
maxime, qui egressi proprium ouile,
itched upon by the townsmen were, as we are surmised, other than the actual offenders, who had sought safety in flight. The Masters and scholars, after the dispersion of their class throughout Europe, hastily dispersed. The nearest town of importance: the great Mother-University of Paris: others to go. What attracted them to that distant marsh know not. Schools of some kind there may have been there already: but we hear nothing of them. In any case, the Studium Generale of Cambridge was suspended by the Oxford 'suspension clericorum' of 1209. Altogether, according to Matthew Paris, the scholars left Oxford; and there is no reason to suspect more than the usual medieval exaggeration. Although we hear afterwards of some 'profane' who persisted in lecturing in defiance of ecclesiastical or academical authority, the majority of the schools were closed, and the existence of the University was suspended, till the reconciliation of the King with the Pope compelled the citizens of Oxford to return before his Legate. A Legatine Ordinance of 1214—the year of John's grovelling submission—is a document of interest not in the nature of a charter of privilege, but the University of Oxford can boast. It possesses constitutional history something more than the fact which the charter of Philip Augustus possesses

was consecrated Bishop of Lincoln on Dec. 20, 1209, and was consecrated abroad. Hence Wood's 'intelligence to the Diocesan' is the creature of his own imagination. The Chronicle of Mailros represents the place as already deserted in 1208, on account of the King's tyranny: 'pauci autem remanentes non multi post propter divinorum suspensium ex toto villam interdicendo recessebant.'

1 See the doc. in Mun. Acad. p. 1 sq.: Matthew Paris, Chron. Maj. II. p. 569.
§ 1. For that of Paris. It enjoined first of all that the offenders were to do penance by marching in procession, barefoot and coatless, to their victims’ grave, followed by the whole commonalty of the town, whence they were to escort the bodies to the cemetery for burial. For ten years one half the rent of existing Hostels and Schools occupied by the clerks was to be altogether remitted; and for ten years more rents were to remain as already taxed before the secession by the joint authority of the town and the Masters. Further, the town was for ever to pay an annual sum of forty-two shillings to be distributed among poor scholars on the feast of S. Nicholas, the patron of scholars, and at the same time to feast a hundred poor scholars on bread and beer, pottage, and flesh or fish. Victuals were to be sold at a reasonable rate, and an oath to the observance of these provisions was to be taken by fifty of the chief burgesses and to be annually renewed by as many of them (not exceeding fifty) as the Bishop should require.

The payment of the annual fine was shortly afterwards (1219) transferred, by an agreement with the town, to the Abbot and Convent of Eynsham. By an ordinance of Bishop Grossetête in 1240 it was applied to the foundation of an institution which is peculiarly characteristic of the English Universities, if not absolutely confined to them. Endowments (such as we find elsewhere) left to be expended in loans without interest to the poor were no doubt a wise and useful form of charity at a time when the Jews were the only money-lenders. and when it was necessary to prevent the Jews of Oxford from charging over forty-three per cent. as annual interest on loans to scholars. This institution was now introduced at Oxford for the especial benefit of scholars. The money accruing to the University was placed in a chest at S. Frideswyde’s in which the borrower was required to deposit some pledge—a book, or a cup, or a piece of clothing—exceeding the value of the loan. Pledges not redeemed within a year were sold by public auction.

Origin of Loan chests.

1 *Mun. Acad.* p. 4 sq. Since the Dissolution, £3 1s. 6d. has been paid by the Crown, and goes to poor scholars. 2 *Ib.* 8 sq. 3 *Ib.* p. 78.
ne private bequests were added to the Frideswyde \textit{chap. xii},
and the foundation of similar chests became a \textit{§ 1.}
rite form of benefaction, the recipients being
red to make some recompense for the founder's
tility by saying a stipulated number of prayers for the
e of his soul. Some twenty of these chests were estab-
lished at Oxford in the course of the Middle Ages \textsuperscript{1}.

by far the most important provision in its bearing
the development of the University constitution is the
which requires that a clerk arrested by the townsmen
be at once surrendered on the demand of the Bishop
lincoln, or the Archdeacon of the place or his Official,
the Chancellor, or whosoever the Bishop of Lincoln
depute to this office \textsuperscript{2}. Another clause provides that
or scholars to be feasted on S. Nicholas' Day shall be
ed by the Abbot of Oseney and the Prior of S. Frides-
s by the advice of the Bishop, the Archdeacon of the
or his Official, or 'the Chancellor whom the Bishop
lincoln shall set over the scholars therein \textsuperscript{3}. These are
not allusions in any authentic document to the exist-
ence of the Chancellorship, and the words just quoted seem
ntly to imply that at present no Chancellor of Oxford
d. The alternative allowing the Archdeacon to act
ners purely affecting the scholars is hardly explicable
upon the supposition that the arrangements for the
ment of a Chancellor had still to be made, and that
delay might take place in carrying them out. The
'whom the Bishop of Lincoln \textit{shall} appoint' seem
not merely because no Chancellor was actually in
but because the office itself was not yet in existence,

\textit{Acad. p. 10, 62 sq., 95 sq.,
145 sq.} Some of the ordin-
allow the University or a
to borrow.
\textit{De consilio venerabillis fratri
Hugonis, tunc Episcopi Lincoln-
enis et successorum suorum uel
Archidiaconi loci seu officialis eius
aut Cancellarii quem Episcopus Lin-
coliensis ibidem Scolaribus pre-

\textsuperscript{1} \textit{De consilio venerabillis fratri
Hugonis, tunc Episcopi Lincoln-
enis et successorum suorum uel
Archidiaconi loci seu officialis eius
aut Cancellarii quem Episcopus Lin-
coliensis ibidem Scolaribus pre-

\textit{Acad. p. 10, 62 sq., 95 sq.,
145 sq.} Some of the ordin-
allow the University or a
to borrow.
\textit{De consilio venerabillis fratri
Hugonis, tunc Episcopi Lincoln-
enis et successorum suorum uel
Archidiaconi loci seu officialis eius
aut Cancellarii quem Episcopus Lin-
coliensis ibidem Scolaribus pre-

\textsuperscript{1} \textit{De consilio venerabillis fratri
Hugonis, tunc Episcopi Lincoln-
enis et successorum suorum uel
Archidiaconi loci seu officialis eius
aut Cancellarii quem Episcopus Lin-
coliensis ibidem Scolaribus pre-

\textsuperscript{2} \textit{De consilio venerabillis fratri
Hugonis, tunc Episcopi Lincoln-
enis et successorum suorum uel
Archidiaconi loci seu officialis eius
aut Cancellarii quem Episcopus Lin-
coliensis ibidem Scolaribus pre-

\textsuperscript{3} \textit{De consilio venerabillis fratri
Hugonis, tunc Episcopi Lincoln-
enis et successorum suorum uel
Archidiaconi loci seu officialis eius
aut Cancellarii quem Episcopus Lin-
coliensis ibidem Scolaribus pre-
and its nature consequently required explanation. The only document bearing an earlier date which mentions a Chancellor of Oxford is stamped alike by the character of its contents and by palaeographical evidence as the most transparent of forgeries.

If the Studium was in full working order by 1184 or earlier, while no Chancellor was appointed till 1214, the question may be raised, 'How were the Masters and scholars governed during the former period?' To this question our data do not admit of our giving a complete answer. The ordinary jurisdiction over Masters and scholars would of course fall to the ecclesiastical authorities. It is possible that even the License was granted by the Archdeacon; or

---

1 The document which is printed in extenso by Bulleus (Hist. Univ. Par. II. p. 545) begins 'Sciunt universi per presentes nos Cancellarium universitatis Oxonie cum toto cetu magistorum eiusdem,' and ends 'Dat. Oxonie in domo nostrre congregations in festo S. Jacobi Apostoli An. Dom. millesimo ducentesimo primo.' It purports to bind the University never to cite into its Courts any one residing within the precincts of S. Frideswyde's; and was obviously forged to aid the Convent in a suit against the University. I was convinced of the spuriousness or later date of the document, from which the above words are cited by Wood (Appendix to Hist. and Antiq. etc. p. 7), (1) by the improbability that the University of Oxford should have attained so much higher degree of corporate development than the Mother University of Paris as would be implied by its possession of a common seal, common funds, and special University Courts with considerable jurisdiction; (2) by the use of the expression 'domus congregations' which implies a building more or less appropriated to University purposes. I afterwards saw the document (Archives, W. E. P.-Y. 1) and found affixed to it a note by Mr. Macray of the Bodleian Library assigning the MS. (which has the seal complete) to circa 1300 A.D. Smith, the acute and learned historian of University College, notes it as a forgery (Annals, p. 202), and its genuineness was questioned by the older scholars such as Sir Robert Cotton, and Spelman (see Twyne MSS. III. p. 140: where Twyne and Wood are clearly arguing against their convictions. Mr. Lyte has the merit of being the first of the professred historians of the University who has escaped the pitfall into which even Deniile has slipped (1. p. 244). Another document of the same kind forged by the same versatile Canons occurs in a MS. in Bodley (Cat. of Oxford Charters, ch. 127).

2 The Archdeacon is mentioned rather prominently in connexion with the Schools by the Ordinance of 1241, and it is possible that he had some control over them. He may even have conferred the license; it is certain that he had some jurisdiction over the Grammar Schools (Mun. Acad. p. 85, and below,
It may be worth noticing that this official stood in something like the position of the Chancellor (like the 'Master of the Schools' mentioned below, p. 355), but (i) 'Rector Scholarum' may mean simply a Regent Master though it is not often so used as an official designation after a name; (ii) if it were an official dignity, we should expect the addition of 'Oxoniensis' or the like. The question must, therefore, be left doubtful. Another document is cited by Wood (ib. p. 5) to show that a Chancellor existed in c. 1150, but (i) the date depends upon an uncertain identification, (ii) the document relates to one of the tithe-cases precisely similar to the one referred to the Chancellor of Oxford and others, circa 1221: we may therefore, with tolerable confidence ignore this piece of evidence. The document is, so far as I can ascertain, lost. Cf. below, p. 355.
But nothing further can be stated as to the character of this mysterious office until it received a definite canonical status and the higher style of Chancellorship from the Legatine Ordinance of 1214.

Not unimportant in accounting for the spontaneous evolution of the Oxford Studium and its presiding official is the fact that the See of Lincoln was vacant during by far the greater portion of the period under discussion—a period beginning (it will be remembered) with Henry II’s quarrel with Becket and ending with John’s embroilment with the Pope and the whole ecclesiastical order throughout the realm. During this time of ecclesiastical confusion we can understand how easy it would have been for the Masters to free themselves from the ecclesiastical yoke against which their brethren were beginning to rebel even at Paris. That Masters were sometimes even after this period admitted to Inception and so allowed to lecture without any regular ecclesiastical License is rendered more than probable by a Bull of Innocent IV in 1246 addressed to Bishop Grossetête from which it appears that even then—more than twenty years after the institution of the Chancellorship—certain persons presumed to ascend the magisterial chair without examination.

It is therefore ordered that in future none shall be allowed to teach in Oxford ‘unless according to the custom of Paris he shall have been examined and approved’ by the Bishop or his representative. Such a state of things is hardly explicable except as a survival of an older régime such as must have prevailed up to 1214.

Whether or not a ‘Master of the Schools’ or a so-called Chancellor existed before 1214, it is practically certain that he was not recognised by the Bishop as entitled to the latter appellation. Indeed, even after the issue of the Legatine Ordinance, it would seem that the Papal orders were not

---

1 From Jan., 1165 to 1183 there was no Bishop or no consecrated Bishop, and there were vacancies amounting to seven years after 1184. Cf. App XXIV.

immediately or permanently obeyed. It would appear that the Bishop, jealous of his authority over the Oxford Schools, delayed to appoint a Chancellor, or to recognise as such the existing Master of the Schools. At all events, a Bull addressed to the Chancellor of Oxford and two other ecclesiastics in 1221 remained unexecuted on the ground that no Chancellor of Oxford was then in existence; while the famous Grossetête, when he presided over the Schools of Oxford, was only allowed to assume the older and more modest title of 'Rector of the Schools.'

If in the period of scholastic anarchy the Masters had been in the habit of electing a soi-disant Chancellor, this will explain the fact that the Chancellor, though emphatically the Bishop’s officer, was from the first—so far as we know—elected periodically by the Masters from their own number. However the title originated, the office is clearly an imitation of the Parisian Chancellorship. It is the Cathedral dignity reproduced in a University Town which possessed no Cathedral. And this fact is the key to the peculiar character of the Oxford Chancellorship—its almost unique combination of the functions of a continental Chancellor with those of a continental Rector. On the

---

1 See the document in Appendix XXI. But in 1225 there is a prohibition to the Archdeacon, Chancellor, and Dean of Oxford who had cited the Dean of the King’s Free Chapel of S. Martinius in a tithe-suit under a Papal Commission of precisely the same character. (Rot. Claus. 9 Hen. III. m. 8 dorso.) The Dean ‘gerens vices Cancellarii Oxon.’ also decides a dispute as to the tithes of Walton delegated to the Chancellor with others, in 1230. *Registrum Malmesburiense, ed. Brewer & Martin, II., 1880, pp. 90, 91.* The Bull had been addressed to the Rural Dean and Chancellor with the Abbot of Evesham. See also below, App. XXI. In a document in the burned Cottonian Chartulary of Osney Grossetête speaks of ‘illius qui auctoritate dioecesani jurisdictioinem scholarium Oxon. habuerit.’ (Twyne XXII. 288.)

2 In one of his controversies with the envoy of the University (1294 a.d.), Bishop Sutton ‘adigit quod beatus Robertus quondam Lincolniensis Episcopus qui huiusmodi officium gessit dum in universitate predicta regebat in principio creationis sue in episcopum dixit pro- ximum predecessorem suum Episcopum Lincolniensem non permisisse quod idem Robertus vocaretur Cancellarius sed Magister Scholarum.’ Lincoln Regesti (Sutton, f. 117. (Twyne XII. p 7.)
one hand we find the Chancellor of Oxford entrusted with all the functions exercised by the Parisian Chancellor at the same period, before his rights had begun to be curtailed by the usurpations of the magisterial University and the Papal Bulls by which those usurpations were supported. Scholars were in England, as in France, treated as clerks and therefore entitled to trial in the ecclesiastical courts. This jurisdiction was in ordinary cases exercised by the Chancellor, though at first his jurisdiction did not exclude the occasional interference of the Bishop or even of the Archdeacon. The analogy between the Oxford and the Paris Chancellorships at the beginning of the thirteenth century—though not after that—is complete in everything but the connexion of the former with the Cathedral. As an ecclesiastical judge, the Chancellor of Oxford enforces his process by excommunication and penance, suspension or deprivation of the magisterial License, suspension or deprivation of the scholastic privileges. Entrusted with a general supervision of the Schools, he issues proclamations against bearing arms, against disturbance of the peace, against the formation of conspiracies, and a variety of similar offences, and enforces them by threats of excommunication. In one point only does the parallel fail, and that is only one result of the fundamental difference in the conditions—the absence of a capитель body. At Oxford there was (so far as we know) no episcopal prison; at all events the Chancellor was never allowed to use it; Lincoln was a long way off; nor was there any great Church like

---

1 Almost the only clear parallel is the Chancellors of the Medical University at Montpellier, which originated at almost the same period. See above p. 119 sq.

2 Auctoritate domini Cancellarii excommunicati sunt omnes illi solenniter qui pacem Universitatis Oxonie perturbaverint, Item, omnes qui ad hoc foedus inierint vel societatem. . . . Item, prohibet Cancellarius, sub pena excommunicationis, ne aliquis ferat arma, &c., Mem. Acad. p. 16. The exact date at which these proclamations were first made is uncertain but immaterial. They are clearly made by the Chancellor on his own authority, not by that of the Masters. It was just this kind of proclamation which provoked the hostility of the Masters of Paris against the Chancellor. See above, vol. i. p. 311 sq.
Notre Dame at Paris in whose cloister or precinct a convenient Chancellor's prison could be found. Consequently the Chancellor had to send his prisoners either to the King's prison in the Castle or to the town prison over the Bocardo gate. This necessity was calculated to prepare the way for that confusion between ecclesiastical and secular jurisdiction which was such a remarkable feature of the Oxford Chancellor's position.

Originally then, it should be clearly understood, the Chancellor's authority was derived from the Bishop and from the Bishop only. Primarily the Chancellor was an officer not of the University but of the Bishop. He derived his jurisdiction over scholars from the fact that they were ecclesiastics, not from the fact that they were members of a University: his jurisdiction extended to laymen only so far as laymen were subject to the authority of the ordinary ecclesiastical Courts. Though the Chancellor was an officer specially deputed by the Bishop to superintend the Studium, the law which he administered was the ordinary Canon Law. On the other hand, though originally and constitutionally the functions of the Oxford Chancellor exactly corresponded with those of the Chancellor of Paris, yet practically even from the first his position was very different. We have seen how at Paris the Schools and the rights of the Cathedral over them were more ancient by some centuries than the University proper. At Oxford the University, instead of being an innovation, was probably in some rudimentary form coeval with the Chancellorship. Whatever degree of association existed between the Masters of Paris in the time of Jean de la Celle must no doubt have been reproduced at Oxford from the days of the original Parisian settlement to which we have seen reason to trace the origin of the Studium Generale. With the Parisian Masters, and the Parisian modes of lecture and disputation, would naturally come the Parisian custom of Inception and the periodical Congregations which that

See below, pp. 392, 393.  

CHAP. XII, custom implied. At Paris the Chancellor was a member of a corporation incomparably richer, more eminent, and more splendid than the new society of poor, obscure, and mostly plebeian teachers who at the end of the twelfth and the beginning of the thirteenth century began to claim a share in the admission of new Masters and the regulation of their professional conduct. At Oxford all the causes which could tend to throw the Chancellor into collision with the University were absent. The Chancellor was a member of no hostile corporation; he owed his own existence to the University. The Bishop was too far off, and his diocese too enormous, to meddle much with the details of administration.

And on their side the scholars had no ground for viewing with jealousy the jurisdiction of the Chancellor. If the Chancellor was not from the first elected by the Masters themselves, which there is no reason to doubt, he was at least chosen from their own ranks. It is practically certain that the University proper, the Society of Masters, could, by the beginning of the thirteenth century, have had no permanent officers of its own: in all probability it continued longer than Paris in the acephalous condition from which that University emerged mainly for the purpose of resistance to the Chancellor's autocracy. Under these circumstances the Chancellor of Oxford passed naturally and insensibly into the position of the Head of the University. While the Bishop's representative thus gained a position in the magisterial guild from which the Paris

---

1 Adam de Marisco in a letter to Grossetête speaks of a Master Ralph of Simplingham 'eui officium regendi congregacionis scholarium Oxoniensium dudum comissitis,' but apparently (though the passage is not quite clear) the appointment was made 'de multitudinis assensu.' (Monumenta Francigena, ed.Brewer, London, 1838, I. pp. 100-1.) The word multitudo is very suggestive of the rudimentary state of the Oxford Congregation' or Guild at this time. The letter clearly shows how completely the Chancellor was at this time the representative of and responsible to the Bishop; yet already he is identifying himself with usurpations on the part of the University of which the Bishop complains. The Chancellor is never found siding (as at Paris) with the Bishop against the Masters.
Chancellor was always jealously excluded, the University practically appropriated to itself the judicial powers of the Chancellor. The distinction between the jurisdiction which the Chancellor exercised as the representative of the Bishop and the jurisdiction which he wielded as Head of the Masters' guild was rapidly lost sight of. The Chancellor, Consequently becoming dependent on the University, made himself practically more and more independent of the Bishop from whom he derived his authority. Hence the enormous superiority of Oxford to Paris in point of privilege and independence. To the Masters and scholars of Paris privileges were, indeed, dealt out by Pope and King with no niggard hand. But, though exempted from the jurisdiction of the ordinary tribunals, they were not placed under that of their own officers. Everything was done for the University, very little by it. When these privileges were first conferred, the University itself possessed no recognised Head, and it would hardly have occurred to any one to confer an extensive legal jurisdiction upon the ever-changing Rector of the Artists. At Oxford the original jurisdiction which the Chancellor possessed as the Bishop's representative served as a basis for further extensions by King or Pope, and the power of the Chancellor meant in the long run the power of the University. In process of time the amalgamation of authority, academic and ecclesiastical, civil and criminal, in the hands of the Chancellor of Oxford was such as has scarcely been wielded by the Head of any other University except Cambridge. All the functions which at Paris were divided between the Apostolic Conservator, the Provost of Paris, the Chancellor, the Bishop's Court, and the Rector, were united in the hands of the Oxford Chancellor, as well as a share in the government of the town for which at Paris there is no parallel at all. And here we may take occasion to observe the importance to Oxford of its position as a city which was neither a capital nor a see-town. It would have been impossible for a University which had grown up beneath the shadow of an episcopal palace to have completely shaken off the authority
CHAP. XII, § 1.

Of the Bishop: it would have been impossible for the most clerically-minded monarch to have placed a great capital in subjection to even the most dignified of academical dignitaries.

In dealing with the early history of the Schools of Paris, I insisted strongly on the necessity of distinguishing between the growth of the Schools and the growth of the University. We have seen reason for presuming that at Oxford the first rudiments of University organization were introduced by the immigrants of 1167–8. It remains for us to call attention to two slight positive traces which are found—in addition to what is implied by the custom of Inception—of the existence of some such organization. Both of them occur in the already mentioned Legatine Ordinance of 1214. Among the Legate’s injunctions there is the proviso that Masters who ‘irreverently lectured after the recession of the Scholars’ shall be suspended from the office of lecturing for three years

It is therefore probable that some kind of formal Cessation or Dispersion had been decreed by the Masters immediately after the outrage: and the issue of such a decree implies a certain amount of organization or at least a habit of combination and co-operation. Moreover, half the rent of existing Halls and Schools ‘as taxed by the common consent of the clerks and the burghers’ was to be remitted for ten years: while in future Halls were to be taxed by a joint board of four burghers and four clerks. Whether or not there had been regular

1 ‘Magistri uero, qui post recessum Scholarium irreuerenter legerunt Oxonic, suspendentur per triennium ab officio legendi ibidem,’ Archives (W. P.-P.) xii. 1.

2 'Medietas mercedis hospitiorum omnium locandorum clericis in eadem uilla, mercedis inquam taxate communi consilio clericorum et burgensium ante recessum scolarium.' Such is the reading of the original Letters patent of the Bishop of Tusculum preserved: seal complete) in Archives, i. c. The copy of the letter to the Burgesses in the Chancellor’s and Sen. Proctor’s Books (A. f. 46, B. f. 4: Mun. Acad. p. 1) —reads ‘communi consilio clericorum et nostro’ which of course cannot be right (the original of this document is missing). The ‘nostro’ evidently comes from the bond of the burghers drawn up clause by clause in accordance with the Legate’s direction, of which the original (or an original draft for it) is preserved in the Archives (W. P.-P. xii. 4). The original Ordinance addressed to
Tutors before 1209 (which is the most natural inference), Chap. XII, § 2. the Masters must at least have possessed some organisation which admitted of their negotiating with the burghe\r\ns in a corporate capacity. In either case it is worthy of notice that the office of Tutor, which has only recently been abolished in the University of Cambridge, was the earliest University office at Oxford, as presumably it must have been in the Mother University of Paris. But how low a degree of organisation is implied by these indications is illustrated by the fact that while copies of the Legatine Ordinance are addressed to the burghe\rs, to the Bishop, and to 'all the faithful of Christ,' none was sent to the Masters themselves, who were not looked upon as a corporation sufficiently definite to be capable even of receiving a letter. The process by which the University emerged out of this rudimentary condition, will be considered in the next section 1.

§ 2. The Constitutional Development.

The University of Oxford, in its primitive form, may be looked upon as an imitation, perhaps we ought rather to say an unconscious reproduction, of the Parisian Society of Masters. It will be remembered that, up to the date at which the existence of a Studium Generale at Oxford is first revealed to us, the University of Paris was what has been called a merely customary Society without officers, written Statutes or any other attributes of a recognized legal corporation. At Oxford as at Paris the bare existence of such a guild is all that we can trace till after the close of the twelfth century. The University is as yet an idea rather than an institution.

During the thirteenth century the intercourse between Paris and Oxford was so close that every fresh development of corporate activity on the part of the Masters of Paris was more or less faithfully imitated or reproduced at the Bishop which also reads 'bur- gensium' is in Archives W. P.-P. xii. a seal broken.

1 I am glad to be able to claim the adhesion of the Bp. of Peterborough to my hypothesis of a Parisian migration. (Archaeol. Journal, 1892, p. 272.)
Chap. XII, Oxford, though the process of development was modified at every step by the different position of the Oxford Chancellorship. Written Statutes, a common seal, elected officers were pretty sure sooner or later to make their appearance. But an attentive examination of the earliest documents connected with the Oxford Schools shows that for the first half century of their existence the University retained to a large extent its primitive character of a customary rather than a legal corporation. The right of the University to a common seal was disputed as late as the episcopate of Grossetête¹. Even after the date of the earliest written Statutes we hear more of the 'customs' of the University than of its Statutes: and we do not hear anything at all of Statutes till 1252. In that year (March, 1251) we find the University enacting, or reducing to a written form², what has ever since remained a characteristic feature of the Oxford constitution—the requirement that no one should be admitted to the Licence in Theology who had not previously been a Regent in Arts.

To the same year belongs the settlement of a dispute between the Northern and the Irish scholars³: for there

¹ Adam de Marisco thus writes to the Bishop to apologize for the Chancellor: 'Signo illo quod dicitur universitatis Oxonie, quo in simplicitate sua sicut et plures antecessorum suorum usus est, de caetero si jusseritis nequaquam usus, et ad nutum beneplaciti vestri suo cedet officio.' Mon. Francis., ed. Brewer, l. pp. 100-1.

² Mun. Acad. p. 25; Mon. Francis., i. pp. 346-348. Notice the expression 'Statuit... et, sistatatum fuerit, iterato consensu corruborat,' (l.c.), as showing the uncertainty and informality of any earlier resolutions of the University.

³ Mun. Acad. p. 20 sq. A similar agreement was made in 1267 by twenty-four of each side after exchanging the kiss of peace. Five persons were to be elected from each northern county, who in turn were to elect 'tres capitaneos,' each Irish province likewise to elect twenty-four, who were to name one Captain: all disputes were to be settled by the four Captains, if they could not agree they were to appeal to arbitri, and only in the last resort to the Chancellor or 'Hebdomadarii' (see below p. 432): 'et dicte communitates ad penam triginta librarum se obligauerint quod communitas hinc inde manum armatur non insurget in aliam et quod communitas alterutra vim inferens armata, si super hoc fuerit conicta, ad dicte pecunie solaci-onem alteri communitati nomine dampnorum et interesse quacunque cohercione per Cancellarium com-pellatur' (Archives, W. P.—l. 132). Most of the 24 seals remain; it is noticeable that several of them are
n Irish question even then. The document reads like Chap. XII, 
consensus omnium magistrorum regencium et non regencium domi-
norun et bachelariorum maiorum et minorum Universitatis.' One
of the Masters mentioned was John of London, the mathematician
praised by Roger Bacon (below p. 536).

1 'Alioquin Magistrorum et Scholas-
tium eius societas subtrahatur' 
Mun. Acad., p. 22. So in the Statute
about theological degrees: 'Ipso
facto a societate Magistrorum et privi-
legiis Universitatis privatus existat'
above, p. 362. We learn from Adam
de Marisco, Mun. Francisci, I, p. 346
that the Chancellor assented to this
last Statute but the Statute is actually
enacted by the University: 'Statuit
Universitas Oxoniensis,' Mun. Acad.
p. 25.
meetings of the whole University, including students (or at least Bachelors) as well as Masters. Indeed, for a time we almost seem to trace a democratic organization of Masters and scholars (after the fashion of Orleans or Angers) existing side by side with the strictly magisterial University—an organization which in 1267 (and possibly earlier) even elected four Captains for the preservation of the peace. However, this democratic University (if such it can be called) may have been little more than a temporary expedient: in any case it never seems to have taken upon itself any functions except the preservation of the peace and the support, by armed force if necessary, of the Chancellor’s authority, and was gradually superseded by the more regular guild of Masters.

A strictly magisterial Statute of about the same period against dancing or other riotous celebrations in Churches upon the Festivals of the patron Saint of a ‘nation’ or diocese, shows with great clearness the purpose for which the co-operation of the Chancellor was originally sought, and indeed the origin of his position as President of the University as well as the Bishop’s representative in the Studium. The ‘Decree and Statute’ is issued by the authority of the Chancellor and Masters Regent with the unanimous consent of the Non-Regents. The Masters conclude by enjoining its observance by the authority of the Chancellor under pain of imprisonment and the greater excommunication. If the Chancellor did not from the first preside in the University Congregations, the convenience of obtaining the sanctions of excommunication and imprisonment for the decrees of the University proper made it expedient to obtain his approval for its acts. It soon became usual (if it was not from the first) for the Chancellor to be present whenever a Congregation of all Faculties was

---

1 See above, p. 362, n. 3. These were, however, apparently taken exclusively from the Northerners and Irish.
2 'Auctoritate domini Cancellarii et Magistrorum regentium, cum unanimi consentu Non-regentium, decretum est et statutum,' &c. (Mon. Acad. p. 18).
3 'Hoc etiam decretum auctoritate ejusdem Cancellarii, sub pena majoris excommunicationis, praeclapimus observari . . . et incarceratedi diutius' (29).
to be celebrated. Indeed, since he was himself a Doctor of Theology, or some other superior Faculty, as well as Chancellor, he would necessarily attend all such meetings; and, at a time when the University itself had no permanent officers of its own (unless the Taxors are regarded in that light), it was natural that he should more or less occupy the position of President at any Assembly in which he appeared.

And yet there remained, and remain to this day, in our academical constitution clear indications of the fact that the Chancellor was originally an extra-University official, and was not the proper executive of the Masters' guild. It was the Proctors, not the Chancellor, who in 1252 were empowered to demand the oath for the conservation of the peace. It is to the Proctors a few years later that the execution of the sentence of suspension denounced for violation of the Statutes is entrusted. In certain cases at all events it is the Proctors who summon Congregation. To this day it is the Proctors who administer all oaths and declarations, who in the Regent Congregation submit graces to the House and in all Congregations count the votes and announce the decision. In these and in other ways we from the first find the Proctors jointly performing many of the functions naturally incident to the presidency of an Assembly or the executive of a Society and as such discharged at Paris by the Rector. The fact is the more

1 *Mun. Acad.* pp. 92, 93: 'Faciant Procuratores congregationem fieri.'

2 Note that in the early Statutes the Chancellor's presence is not expressly mentioned except where Non regents were summoned as well as Regents. It is not impossible that at first the Proctors presided over Congregations of Regents in all Faculties as they undoubtedly did over Congregations of Regents in Arts. Even in the Fifteenth Century Register Archives, Aa; we find that in a Regent Congregation the graces are 'pronounced' (i.e. declared carried) by a Proctor, while in the Great Congregation (i.e. of Regents and Non-regents) the Chancellor performs that function. In our modern 'Convocation' and 'Congregation of the University of Oxford' the question is put by the Chancellor, but the decision is announced by the Senior Proctor: but in the 'Ancient House of Congregation,' the graces are still put to the House, as well as 'pronounced,' by the Senior Proctor. See Appendix XXXIII on the modern constitution of the University.
CHAP. XII, remarkable since the Oxford Proctors, like the Parisian
Rector of the thirteenth century, always remained primarily
the officers of the Regents in Arts, not of the whole
University. At Paris the University was obliged to
employ the Rector as its executive because it had no
proper executive of its own. At Oxford, though the
Chancellor early became, if he was not from the first, the
acknowledged Head of the University, he is still so far
felt to be above and outside the teaching corporation that
many of the functions which would naturally attach to such
a position, devolve upon the more democratic Proctors. In
the documents which mention the consent of the Chancellor,
he appears rather as an external authority whose approval
might in certain cases be necessary to give effect to the
decisions of the University than as an essential element in
the University itself. The Masters are bound by oath or
solemn promise to obey both Chancellor and University;1
each authority is supreme in its own sphere. The Statutes
assume at times the form of treaties between two inde-
pendent contracting parties.2 This state of things could
not or at all events did not last long: the two authorities
were fused into one: and the developed Oxford constitution
is the result of the fusion. The Chancellor loses his
independent position and becomes the presiding Head of the
University. The University submits to the presidency of
the Bishop’s officer, but at the same time, by as it were
absorbing the Chancellorship into itself, is able to arrogate
to itself all the powers of that office. Some of the anomalies
which resulted from such a fusion shall be traced hereafter.3

---

1 'In fide qua teneris Domino et
Universitati' (Mun. Acad. p. 39).
'Dominus' might conceivably mean
the Bishop.
2 So in 1557 (the Statute pre-
scribing the form for denouncing
a Master suspended); 'In hanc
formam consentiunt Cancellarius
et Universitas Magistorum regen-
tium Oxoniæ.' (Mun. Acad. p. 30).
His consent is here necessary, since
a suspension of a Regent from lec-
turing involved a temporary with-
drawal of the Chancellor's License.
Notice that in this Statute the usual
purpose of Congregations is to cele-
brate (1) Inceptions, (a) Funerals. It was the same at Paris, above,
3 It is impossible to say to what
extent in the early days of the
University the Chancellor would
ars after the date of the earliest extant Statute, University of Oxford, at about the same time as the University of Paris, received the confirmation of immunities, liberties, and laudable, ancient and customs, and approved and honest constitutions' 1254.

cent IV. It is worthy of notice, as showing that error is still hardly regarded as an integral part of the Bull is addressed not to the r and University but (after the manner of Bulls to the Masters of Paris) simply to the 'Masters sojourning at Oxford in the diocese of Lin- at the same time the University obtained for its privilege against being summoned by Papal to answer outside Oxford in respect of contracts hin it 2.

1 by placing itself virtually under the presidency of hancellor, the University of Oxford as a whole head earlier than Paris, separate meetings of the of Arts were essential, if it was only for the cele-

The nations.

fied the right of vetoing the name of the Bishop, likely asserted a very paid over the University p. 419. In the later of the University there of such a veto, which the Chancellor or Vice- obtained by the Laudian still possessess.

The reader should be warned that the Alexander IV, maintaining position of the Bishop over prerogatives clericorum castri Oxon. 'referred to by Wood, I. p. 250, has nothing to do with the University, but refers to the clergy of the Churches within the Castle precinct. It is given in extenso in Twyne MSS. II. f. 19, and again in VII. p. 345, where it is mistakenly referred to the year 1209.

2 Bliss, Calendar of Entries in the Papal Registers relating to Great Britain and Ireland, 1. (London, 1893. p. 306. The grant was for five years only—a fact which no doubt accounts for its disappearance from our Muniments and Statute-books.
Chap. XII, also. At all events in 1228 (a few years after the first appearance of Proctors at Paris), we read that a dissension broke out between the scholars and the townfolk, and that an agreement was made that in future all such disputes should be composed by 'arbitration of the four Masters who should then be the chief'

1. This seems to point to four Nations, even if the four Masters were rather 'Captains' or 'arbitrators' of the type appointed to preserve the peace in 1267 than a reproduction of the Parisian Proctorate. For four Nations, however, the composition of the magisterial body at Oxford hardly supplied the materials. If a few French Masters came over from Paris in consequence of some faction-fight or 'cessation' at Paris, the great majority were no doubt of British or even English birth

2. Though Irish scholars were numerous and troublesome, Irish Masters were few, and the same was probably the case with the Welsh

3. Among Englishmen there was only one marked racial or geographical distinction—the distinction between the English north of the Trent and the English south of the Trent. Hence, instead of the four Nations of Paris, we find at Oxford only two—the Boreales and the Australes. Scotchmen—probably at this time only Lowlanders would be likely to find their way to Oxford—were included among the Northerners, Welshmen and Irishmen among the Southerners. The Northern and Southern Masters of Arts were presided over by their respective Proctors

4. The two Proctors are first heard of in

---

1 ' Arbitrio quatuor magistorum qui tunc essent precipui,' Ann. de Dunstable (ed. Luard, in Ann. Monast. III. p. 110. So too four Taxors are appointed in 1209 (Mun. Acad. p. 2); and it is significant that when there were undoubtedly only two Nations, the Taxors were also two only. It is conceivable that these four Masters may have been the Taxors themselves; but whether called Proctors, or Taxors, or Captains, there would probably be little difference between these officers and the primitive Proctors appointed 'ad injurias ulciscendas' at Paris (see above, vol. I. p. 316), except that, if we suppose the Captains to be meant, the students joined in their election. But cf. above, p. 346

2 Many foreign Friars were sent to study in Oxford (Little, p. 66, of passim). In 1369, however, Edward III ordered the expulsion of all foreign scholars (Wood, I. p. 485).


when they appeared before Henry III at Woodstock Chap. XII, § 2. first mentioned in they succeeded in obtaining for the University they granted, in conjunction with the Chancellor, the right of present at the assize of bread and beer.

Whether the Nations at Oxford were originally four or Abolition it is pretty certain that they were originally more of Nations. ct than they afterwards became, and it is probable in the earliest Congregations the votes were taken nations. For in 1274 the articles of peace drawn up one of the great faction-fights between North and 2 solemnly provide that in future the two bodies of Northerners and Southerners should be amalgamated into single Nation: and from this time, though one Proctor always an Australis and one a Borealis, the term on' ceases to be used, and the Faculty of Arts as a single body. 3. The early extinction of Nations: English Universities is a symbol of that complete national unity which England was the first of European oms to attain.

will be remembered that in the chapter on Paris the of the Nations and their Proctors was traced back e four Universities of Bologna and their Rectors. interesting to observe that, though at Paris the four rs (if indeed that title was ever applied to the Heads of Nations) rapidly disappeared and were

resentibus apud Woodstocke voculatoribus scolarium uni-

The ‘Solenis Concordia australes, Marchiones, Hysber-

et Walenses ex una parte seale et Scotos ex altera’ labove. p. 363 .

oviso insuper quod de cetero non fiant seu nominetur in

universitate, set unum sit collegium et unum corpus; aliis nihilominus obligationibus penalibus per universitatem prius ordinatis in suo robore duraturis. The last clause seems to imply that the previous Statutes had been carried by the consent of distinct Nations. Cf. Mun. Acad. p. 92, Statute of 1313: ‘Cum separatio nationum Australium et Borealiun, cum nationes diverse non sunt, tam clericia quam laicus sit summo opere detestanda,’ &c.
§ 2. *Oxford.*

Chap. XII, superseded by one Rector and four Proctors, at Oxford the Proctors on one of their earliest appearances in history are styled 'Rectors' instead of Proctors. At Oxford the title Rector is rarely used afterwards. At Cambridge both titles continued in use throughout the medieval period. This alternative use of titles which at Paris denoted separate offices may be accounted for in one of two ways. It is certain that the Heads of the Nations appeared at Paris earlier than the common Rector of the Artists; it is possible that they were once called indifferently Rectors or Proctors, and there are slight independent reasons for believing that such was the case. In that case the national Rectorships or Proctorships may have been reproduced at Oxford before the institution of the single Rectorship at Paris. On the other hand it is a significant fact that these Oxford Rectors or Proctors are first heard of at a time when we know that there was a schism in the Faculty of Arts at Paris, three of the Nations having elected one Rector in opposition to the Rector of the French Nation alone. It is quite conceivable that our Oxford Proctorships may represent the perpetuation of this anomalous, but then by no means unusual, state of schism in the Mother University. The constitution of Oxford may be said to represent an arrested development of the Parisian constitution modified by the totally different relation of the Chancellor to the Masters. It is the Parisian constitution transplanted to Oxford after the establishment of the Nations and

---

1 Adam de Marisco says that the Statute requiring Theologians to be M. A. (see above, p. 362 and below, p. 378, was subscribed by the Regents of the superior Faculties (note how the practice of the superior Doctors subscribing individually is copied from Paris, see above, vol. I. p. 329) and by 'duo rectores pro artistis.' *Mon. Francisc.* I. p. 347. The Proctors are styled 'Rectores' as late as 1377 in the contemporary Chronicon Angliae (ed. Thompson, London, 1874), p. 178.


3 i.e. before 1237 or 1244.

4 See Budeus, III, p. 222; *Charter. Univ. Paris,* I. pt. i. No. 187. As late as 1266, certain arbitrators appointed to adjust a schism of this character at Paris provide that one or more Nations shall be authorized for just cause to separate from the rest and elect a separate Rector. *Charter. Univ. Paris,* I. No. 409.
THE CONSTITUTIONAL DEVELOPMENT.

... officers, but before the final establishment of a single common Rectorship and before the organization of superior Faculties into distinct Colleges or corns with officers, statutes, and seals of their own. Ford the need of a distinct Head of the University was felt, because the Chancellor, here on friendly with the University, served the turn. The need common Head of the Faculty of Arts was unfelt, there were only two Nations, and those less divided either by nationality or organization than nations of Paris. There were (at least after the peace ) no separate meetings of the Australes and Boreales: separate Congregations of the Artists the Senior presided.

... have seen how at Paris the University proper was time almost supplanted by the Nations. The of Arts habitually took the initiative in University s, the Doctors of the superior Faculties being called in to confirm the resolutions already arrived he great National Assemblies. At Oxford the inance of the Faculty of Arts was still more cons than at Paris. At Paris the general prence of that Faculty and in particular its exclusive e in University business was, as we have seen, lly broken down by the growth of the Faculties organized bodies governed by officials, statutes, and

reader will remember that necessity of joint resis-the Chancellor that led to tion of the four National th necessitated the separate tions. See above, vol. I.

Acad. p. 481.

r Denifle I. p. 78) remarks asserion 'universitatem senum' fundatum esse in was never made in the period. But see a doc. of chartul. T. III. No. 1537: Oxford we find the Faculty of Arts in 1339 boasting that it is 'fons et origo cæteris' (Min. Acad. p. 142). It is quite possible that this statement is historically true, i.e. that the migration of 1167-8 consisted entirely of Masters of Arts. At the end of the twelfth century there was, indeed, clearly a great deal of law-teaching at Oxford (for the evidence, see above, p. 338, n. a, and below, p. 375, n. 1). But, as has been suggested (above, p. 353, n. 1), S. Edmund may probably have been the first Theologian to incept at Oxford.
Congregations of their own. At Oxford the superior Faculties never acquired a separate existence of this kind; no Deans of Faculties appear upon the scene. The initiative of the Faculty of Arts remained a permanent principle of the University constitution, and even passed into a claim to an actual veto upon the proceedings of the University. Every Statute had to be promulgated in the Congregations of Regent Masters of Arts summoned and presided over by the Proctors at S. Mildred’s before it could be submitted to the whole University at S. Mary’s. The claim of the Faculty—at least when unanimous—to prevent the further progress of a Statute negatived in this ‘previous Congregation’ is frequently asserted in the Proctors’ books, but never in the register kept by the Chancellor. The superior Faculties admitted the right of the Faculty of Arts to a separate and previous deliberation, but not the right to bar the further progress of a Statute. An attempt, however, to give the force of Statute to the contrary opinion in 1357 failed, and this important question of constitutional principle remained undecided till the fifteenth century, when the Faculty of Arts seem to have claimed an absolute negative only in the granting of graces, i.e. dispensations from some of the conditions necessary for taking a degree.

It may be added that the mere necessity of a promulgation in the ‘previous Congregation’ of Artists gave a practical veto to the Proctors (by whom alone that
Faculty could be summoned), at least when agreed. In Chap. XII, 1344 a Statute was passed enabling one Proctor, with the consent of the Chancellor, to promulgate a Statute; but the two Proctors united could still oppose a barrier to any proposed legislation. The Proctorial veto, which was embodied in the Laudian Statutes and still survives, may no doubt be traced back to this ancient supremacy of the Faculty of Arts.

A further consequence of this predominance was that the Proctors, being the only representative officers of the magisterial body, acted as the executive of the whole University, just as it was left to the Parisian Rector, originally the Head of the Artists only, to execute the decrees of the whole University at a time before his actual 'Headship' was admitted by the superior Faculties. At Oxford the rise of the Proctors to the Headship of the University was barred by the established position of the Chancellor; but from the first the Proctors are officers of the University as well as of the Faculty of Arts. To this day the Proctors are the Assessors of the Vice-Chancellor in most of his public acts.

A peculiarity of the Oxford constitution was the important position occupied by the Non-regents. At a very early date we find the presence of the Non-regents essential to all permanent Statutes and other important acts of the University. When they attended, they gave a collective vote like a distinct Faculty. Elections and all merely administrative business remained, as at Paris, in the hands of the Regents.

There were thus at Oxford three distinct Congregations:—

1. The Congregation of the Regents in Arts commonly a Congregation of Regents 'utroque procuratore reclamante' (Aa. f. 121 a). It thus appears that the consent at least of one Proctor was necessary to the adjournment of a Lesser Congregation.

2. The Non-regents.

3. The Proctors are the Executive of the whole University.


The only other trace of a direct Proctorial veto which I have come across in the Middle Ages is in 1461, when a great disturbance took place because the Commissary adjourned.
Chap. XII, called the Black Congregation. Besides the celebration of Inceptions in Arts and the election of Proctors, this Congregation met at S. Mildred’s Church for the preliminary discussion of proposed Statutes. When assembled for this purpose, it was often called the ‘Previous Congregation.’

(2) The Congregation of Regents (of all Faculties) or ‘Lesser Congregation’ (Congregatio minor) met at S. Mary’s. To this Congregation belonged, in all ordinary cases, the grant of leases, the ordinary finance of the University, and the control of all matters relating to lectures, studies, and degrees, especially the grant of dispensatory graces where not specially reserved by Statute to the Great Congregation. This power grew in course of time (as we shall see) into the power of conferring the degree itself. From the completion of the Congregation-house in about 1327, the Regent Congregation met in that building. It is a detached Chapel standing on the North side of the Choir of S. Mary’s Church.

(3) The Congregation of Regents and Non-Regents, commonly called the Full or Great Congregation (Congregatio plena or magna), was the supreme governing body of the University and was alone competent to make a permanent Statute. It met in the Choir of S. Mary’s. In the

1 At the Previous Congregation Non-Regents in Arts at times appear (Mun. Acad. p. 188), but not always (ib. p. 481). It was probably at the discretion of the Proctors to summon them or not.

2 This building was begun in 1320 by Adam de Brome, Rector of S. Mary’s and Founder of Oriel College, at the expense of Thomas de Cobham, Bishop of Worcester, a room above it being appropriated to the Library left to the University by that prelate. It was left not quite completed on the death of the Bishop in 1327. See the document in Collectanea, II. p. 62 sq., which recounts the violent dispute between Oriel College (as Rectors of the Church) and the University for the possession of the Library, which lasted till 1409, when the Oriel Archbishop Arundel compensated the College for its claim. (Rot. Pat. 11 Hen. IV, p. a. m. 28.) The Chaplain of the University served as Librarian (Mun. Acad. p. 227). It may be noted that this Congregation-house is the only part of S. Mary’s Church (it is really, however, a separate building) over which the University has the smallest right of property or control. The Church is merely lent for University sermons.

3 The term ‘Convocatio’ is rarely used in the Middle Ages: where it occurs, it is a synonym of ‘Congregatio.’ In the sixteenth century ‘Convocatio’ was gradually appro-
CONSTITUTIONAL DEVELOPMENT.

The voting was by Faculties: and there to doubt that here as at Paris the principle throughout the thirteenth century was that required the consent of all four Faculties with, in the case of Oxford, of the Non-regents.

Great Congregation, to the Lesser Congregation, to name two Faculties, the Black Congregation, appoint two representatives or delegates in Medicine, appointing Arts four, but on appear at times to vote in all, p. 382, but cf. add that Denile (I. 150 years) was underrate the the Oxford School of complaints of Roger ajus, p. 446, against not refer exclusively studied abroad. So in obtained the opinion of Oxford in Jure avour of his appeal, Bishop of Norwich, See of Winchester. entry III. m. 10 dorso; l. f. 36 a; cf. too Mon. 13 where is also an Oxford ‘Medicus.’

ogheda, who taught the thirteenth century, of considerable influence by the Bologna Bethmann-Hollweg, des gemeinsen Rechts, 874, pp. 123, 124: tess, Letters Academiae Oxonensis, Hanoviae, He wrote his Summa d. (Caius Coll. Camb. see also below, p. 474, true of course that Civil Law was studied chiefly for use in the Ecclesiastical Courts (and the Admiralty Court), but Bacon complains that the ecclesiastical lawyers cared more for the Civil Law than for the Canon. The number of Medical Doctors at Oxford was always small: the only one of much fame was John Gaddesden of Merton, author of the Rosa Anglica or Practica medicinae a capite ad pedes, who wrote 1305-1317. See Haesser, Lehrbuch, I. p. 712.

Their position seems established by 1380: ‘Magistri non-regentes in partem se trahentes per se, ac omnes Magistri regentes per se’ (Mun. Acad. p. 41; cf. p. 43). The enactments of the Regents only are never called Statuta, but Ordinationes. In a form of Statute imposed upon the University by a Royal Commission in 1376, we find ‘quibuscumque ordinationibus magistrorum regentium, vel statutis magistrorum regentium et non-regentium.’ Rot. Pat. 50 Ed. III. pt. i. m. 10 (Hare, Mem. f. 73). The Regents must not be confounded (as is done by a learned writer) with the Masters of less than two years’ standing, who are the ‘necessario regentes.’ Though a new M.A. was obliged to lecture for one year (the period of necessary Regency has since been extended to two years), he could continue to teach, and therefore to enjoy the rights of Regency as long as he pleased. It is only since the Regents ceased to lecture that M.A.’s of two years’ standing (with the Deans of Colleges, the Doctors, and a few officials) became the only Regents.
The beginning of the fourteenth century introduces us to a great constitutional crisis in the history of the University. Here as at Paris the constitutional development of the University is intimately bound up with a struggle against the intrusion of the Mendicant Friars. About the year 1303 a Statute was passed which distinctly affirmed the principle that a majority of the Faculties (the Non-regents being reckoned as one) could bind the whole University. To understand the circumstances which provoked this constitutional revolution, a glance at the history of the Oxford Mendicants is indispensable.

Impelled by a vague desire to establish a hold upon the thought of the age as well as by the more definite purpose of gaining converts for their Orders, the Friars everywhere seized upon the University towns as the basis of their operations. We have seen the storm which followed upon their advent at Paris. At Oxford the Dominicans made their appearance in 1221, soon after their first landing in England. They established themselves in the heart of the Jewry, where the Church of S. Edward was made over to them by the Countess of Oxford and the Bishop of Carlisle. Though the conversion of the Jews was a prominent part of their work, they early connected themselves with the University by opening a School in which Theology was taught by a 'converted' Doctor of Divinity, Robert Bacon. The Franciscans followed in 1224, and settled near S. Ebbe's Church, from which, however, they soon removed to a marshy strip of ground outside the town wall, where the Order was joined by many students of noble birth. In 1245 the Dominicans likewise moved to a suburb, and established

---

1 Jordan of Saxony, the third Dominican General, as he wanders from one University to another, recounts the number of his 'captures.' Thus at Oxford in 1229 he writes, 'Apud studium Oxoniense spatium bosi capture Dominus nobis dedit.' *Lettres*, ed. Bayonne, p. 126.


themselves on a spot still known as Black Friars Road, upon what was then an island formed by the Trillmill stream and the Thames, between Folly Bridge and Oseney. In 1256 the Carmelites acquired a house on the west of Stockwell (now Worcester) Street in the northern suburb, where they remained till 1317, when Edward II, in fulfilment of a vow made at Bannockburn, granted them his Palace in Beaumont Fields, the site of which is still commemorated by the name of the neighbouring ‘Friar’s Entry.’ In 1268 the fourth great Mendicant Order, the Augustinians, are found obtaining from the King a piece of ground for a convent in Holywell—on the site now occupied by Wadham. The Friars of the Sack established themselves near the Castle in 1262: the Trinitarians obtained a house outside the East Gate in 1291: and the Crutched Friars are heard of in the following century. But the houses of these last Orders played no considerable part in the history of the University.

Both at Paris and at Oxford, in the first flush of their reputation for sanctity and asceticism, the Friars were well received by the University, though often annoyed by the opposition of the higher ecclesiastics. At Paris the new comers very quickly outlived their welcome. At Oxford the harmony between Regular and Secular was of much longer duration. Even the Dominicans forgot to quarrel: while the more humble-minded Franciscans employed secular Doctors of Divinity to lecture for them in their conventual School. The illustrious Grossetête was the first of the Franciscan Lectors and showed himself throughout

---

1 Ann. Monast. (Oseney), IV. pp. 94–98.
3 Documents in Dugdale, VI. p. 1596. and Wood, City, II. p. 447 sq. 
4 Dugdale, VI. p. 1608; Wood, City, II. p. 473. The Order was suppressed in England in 1307.
5 Wood, City, II. p. 478. In the Lincoln Register, Dalderby, f. 308 (Twyne, II. f. 30), is the approval of a chantry for them in 1315, with the Royal Licence of 1304.
6 Dugdale, VI. p. 1586; Wood, City, II. p. 478.
Chap. XII, his life a warm friend and patron of the Order. Oxford was indeed just touched by the storm which rent the University of Paris in sunder for so many years. In 1254, a few weeks after the passing of the first Statute against the Friars at Paris, we find a Statute passed at Oxford with the same general intention of setting a limit to the multiplication of Friar Doctors and of securing the control of the University over regular graduates. Like the Parisian Statute it requires an Inceptor in Theology to have previously lectured as a Bachelor. The further objects of the Parisian Statute are secured in another way. Instead of setting a fixed limit to the number of Friar Doctors it merely forbids the graduation in Theology of men who have not previously been Masters of Arts. This would at the same time secure that the candidates should already have taken the promise or oath of obedience to the Statutes, which, it will be remembered, was the great bone of contention at Paris. In one respect, indeed, the objects of the two Statutes were different. The Paris Statute was enacted by the Theological Faculty and was designed to protect the secular Theologians from the competition of their

1 Mon. Francisc. I. p. 37. Subsequent Lectores till about the end of the century were either (1) Doctors who had incepted as Seculars or at Paris, or (2) Franciscan Bachelors. Mon. Francisc. I. pp. 38, 39, 550. This accounts for the dispute with the University being postponed so long.

2 Bulleus, III. p. 245; Chartul. Univ. Paris, I. pt. i. No. 200. See above, I. p. 373. The Paris Statute was passed in Feb. 1254, the Oxford Statute was carried on the 9th of the following March (Mon. Francisc. I. p. 346), and was probably suggested by the news from Paris.

3 Mon. Acad. p. 25.

4 'Nisi legerit aliquem librum de canone Bibliae vel librum Sententiarum vel Historiarum.' By the

5 Historiae' is meant the 'Historia Scholastica' of Petrus Comestor.

6 'Nisi prius rexerit in aribus in aliqua Universitate.' The Statute is similarly quoted in the Friars' pleadings in 1313 (Collectanea, II. p. 225), but in their Act of Appeal it runs 'nisi prius in arte dialectica gradum seu statum Magisteri vel saltam bacullarii habuisset.' I. p. 239.

7 Even if the oath was not yet required upon Inception in Theology, as it undoubtedly was later (Mon. Acad. p. 374). We have no doubt a relic of this conflict with the Friars in the provision that an Inceptor in any other Faculty is merely required 'dare fidem, while a Master of Theology is required jurare 'ponendo manum ad pectus' (I. c. Cf. p. 487).
THE CONSTITUTIONAL DEVELOPMENT.

At Oxford there is less trace of dislike to the Mendicants as such. The Oxford Statute was not inspired by the University itself, and was inspired by the Faculty of Arts for its own authority and studies of which it was the guardian. The Statute did not touch men who had entered a religious Order completing their Regency in Arts. But the Friars, they professed to give their novices a philosophical education in their own Schools, considered it inconsistent with their principles to allow graduation in secular branches of study. To the mind of the secular academic the teaching of Philosophy was an essential preliminary to that of Theology: even when he applied himself to the study of Theology, he was disposed to attach more importance to the sacred than to the Bible, and to apply to the doctrine of the Holy Trinity or to the psychology of Angelical Theology the philosophical distinctions in which he had been trained as an Artist. The secular Masters of Arts were not allowed to give instruction in Philosophy or to permit the admissions of the Friars themselves, such distinctions were at first liberal. The relations between the University and the Orders have been little disturbed by the new Statute.


Statute is opposed "cum ulla in eam iuvenis innem . . . nec eis in dicto artibus licet magistrari center in philosophia in suum instructi." Collectanea.

At an earlier date secular study had been forbidden alto-Cf. Chartul. Univ. Paris, I. 57. 335. 347.


" Collectanea, II. p. 296.

" For the whole of this conflict the chief and almost only authority is a Roll containing a record of the proceedings in the Roman Court upon the appeal of the Friars, which I have edited in Collectanea, II. p. 195 sq. For further details I may refer to the Introduction prefixed.
The inevitable conflict broke out at the beginning of the following century. With the year 1303 begins a series of Statutes obviously directed against the obnoxious Mendicants, especially the ever-combatant Order of S. Dominic. In that year the University transferred the ‘Examinatory Sermons’ required of Bachelors of Theology as a condition of Inception from the Dominican and Minorite Convents down by the quiet river-side, where they had commonly been preached, to the more central but (as the Friars contended) more noisy and incommodious S. Mary’s. In 1310 the Theological Vespers—the disputation on the Eve of Inception—which had hitherto been given in any Master’s School, were likewise required to be held in the University Church. The measure was really aimed at the Friars, since the usual practice had been to borrow or hire one of the large and well-built Schools of the Friars Minors or Friars Preachers. A little later (1310 or 1311) Friars were required to take the degree of Bachelor of Theology in the University, and not merely (as heretofore) to obtain the authorization of their own superiors, before they could lecture upon the Bible. As the degree of Bachelor of Theology was taken by lecturing on the Sentences\(^1\), which required a philosophical education, this pressed heavily on the Friars, then the only students of Theology who cared much about the exegetical study\(^2\) of the Bible as a practical preparation for the duties of the Preacher and the Pastor. The University Statute, as they not unreasonably contended, was ‘irrational’ and changed the proper ‘order of doctrine,’ since there were many simple Friars quite fitted for lecturing on the Bible, who

\(^{1}\) Usually, but in Collectanea, II. p. 233, the University contradicts the Friars’ statement that the B.D. could only be taken in this way.

\(^{2}\) ‘Legere Bibliam biblice,’ sometimes explained as ‘sive textualiter,’ as opposed to the Scholastic discussion of ‘questiones’ arising out of the text.
were not equal to grappling with the intricacies of Chap. XII, Scholastic Theology: though to the University it appeared that such teaching only led to the diffusion of 'errors.' Besides these formal, corporate attacks upon the position which the Friars had hitherto occupied in the University, they now began to be annoyed by the stricter enforcement or abuse of their prerogative on the part of individual Masters. Graces dispensing from the obligation to graduate in Arts, which had hitherto been granted almost as a matter of course, began to be refused: and a single Master of Arts, according to the interpretation which the University put upon the Statute, could obstruct the grace. Again, the Statutes required that candidates for theological degrees should have disputed in the School of every Master of the Faculty: and now secular Masters began to refuse admission to Friar candidates. Finally, not only did the University decline to admit Friars to its degrees without an oath to obey the Statutes of the University 1 (here the old Parisian grievance comes to the front), but existing Masters were required to swear obedience to the new Statutes: and upon his refusal the Dominican Doctor, Hugh of Expulsion of a Dominican Friar, was expelled from the University. To complete their list of grievances, the University got the contumacious Friars excommunicated by the Archbishop of Canterbury, which exposed them to a host of petty vexations. They were preached against in the pulpits of the Seculars: their own sermons, their Schools, and their confessors began to be avoided by scholars and townsfolk alike. People were afraid to speak to them or give them money or food, lawyers to act as their counsel: even their own students (as the Friars alleged) had been driven by this storm of obloquy and persecution to run away from their convents: those who remained had their 'necessary living, good fame, and affection of their friends' taken away from them 2.

It was to carry through this programme of anti-men- dicant legislation—these 'exquisite and secret machinations,' Majority of Faculties defined

---

VOL. II (2). F
CHAP. XII, as the Friars pathetically phrased it—that an innovation was attempted in the University constitution exactly parallel to that which we have traced at Paris. At Paris, however, we were unable to fix the exact period at which the principle of Statute-making by a mere majority of Faculties was introduced, if indeed the revolution was not too silent and gradual to be assigned to any precise moment. At Oxford we are able to give a definite date. About the year 1302 or 1303 the University enacted that the Regents in two Faculties with a majority of the Non-regents should have the power to make a permanent Statute binding on the whole University: and the Statutes about the place of Vespers and the priority of the Sentences to the Bible were in fact carried only by the required majority, the two Faculties being the Faculty of Arts and the always closely allied Faculty of Medicine, which was for the nonce embodied in the person of a single Doctor.¹

The result of the embroglio with the Mendicants was an appeal to the Roman Court², and in this appeal the constitutional Statute, upon the validity of which the legality of the whole proceedings turned, formed one of the subjects of

¹ Collectanea, II. pp. 218, 226. The Faculty of Theology would of course include many Regulars; still the two dissentent Faculties do not appear to have opposed the constitutional innovation or sided with the Mendicants in the ensuing struggle. The secular Theologians as individuals certainly joined in the campaign against the Friars.

² In Feb. 131½ (Collectanea, II. p. 237 sq.), the pleadings of the Friars give an amusing account of their proctor’s efforts to serve the notice of Appeal upon the Chancellor and Proctors. The Chancellor’s servant prevented Brother Lawrence of Warwick from entering his Master’s School. He then repaired to S. Mary’s where a Congregation was being held, but was forcibly ejected (‘exitur disturbatus protestans se dictas provocationes et Appellationem velle prosequi cum effectu et earum copiam offerens postquam hostium Ecclesie reclusurus’). Thereupon the undaunted Friar mounted a tombstone and shouted into the windows that he would leave a copy of the appeal on the Church-door; after which he retired amid the maledictions of the Scholars’ servants, who shouted ‘pecatum esset uobis fratibus subuenire et pium hostia uestra obstruere et uos tanquam superbiasimos in comburere qui cum sitis miseri et mendici audetis contra tantam congregacionem tam reuerendam et excellentium personarum appellacionem aliquam commouere’ (ib. p. 245).
plaint. The case was partly heard by a Cardinal in 1313, but only with the result that, upon the
choice of the University, the case was referred to arbiters—two Seculars and two Friars—in England. Their
award in the main decided the case for the University. 

§ 2. A slight concession to the Friars on the merits of the
choice, it was provided, however, that every Bachelor
in Divinity, after completing his course upon the Sentences,
should preach one sermon in the Dominican Church before
ceeding to the degree of Doctor. On the more important
institutional questions at issue, it was ordered:—

1) That when a grace was asked for a Friar, every
Arbitrator should be required to swear that he would not
affirm the grace ‘out of malice or hatred or rancour,’ but
‘for the common utility and honour of the University.’

After this precaution a Regent should refuse the grace,
was to be required forthwith to state his reasons to the
rector, Proctors, and Regent Masters of Theology, by
man an investigation was to be held into their sufficiency.
In the opinion of a majority of the Theological Regents
objection was not sustained, the grace was to be
granted ipso facto.

2) The principle of majority-voting was upheld: but
was ordered that the majority should consist of three
uries instead of two, of which the Faculty of Arts
be one, besides the Non-regents. Moreover, the Friars
complained that Statutes were passed without sufficient
ce to the superior Faculties. It was therefore en-
ed that no Statute should be passed without previous
ligation in a General Congregation of Regents, which
copies should be handed to a Master of each
ity fifteen days before the time of voting.

The award was confirmed by Royal Letters Patent on

Collectanea, II. p. 224.
Collectanea, II. p. 263.

such are the words of the Royal
Collectanea, II. p. 271, but in
that case the Non-regents would get
no notice. A certificate of the publica-
tion of a citation in connexion with
this suit is preserved among the MSS.
of the Dean and Chapter of Lincoln.
Chap. XII, April 7, 1314. But the litigious Preachers found means of prolonging the suit for six years longer and in getting a succession of Bulls in their favour from John XXII.

At last in 1320, however, they were compelled to renounce these Papal favours, and to make an unconditional submission to the University. The Royal writ of 1314 must henceforth be considered as settling the general principles of the University constitution. In the fifteenth-century Registers there is, indeed, no trace of the observance of the provisions about the sermon in the Dominican Church, or of the provisions about Friars' graces, but there is abundant evidence of the practice of 'voting by Faculties' throughout the period with which we are concerned.

The controversy between the University and the Mendicants continued to smoulder until it was lost, so to speak, in the wider issues raised by the outbreak of the Wycliffite heresy. The quarrel in Oxford was in truth but a symptom of the great feud between the Friars and the Seculars which divided the whole Church of England—indeed the whole Church of Europe—throughout the fourteenth century. In England as in France the Universities were but the organs of the secular clergy at large. The expenses of the University litigation against the Friars were defrayed by a tax upon the ecclesiastical property of the realm imposed by the two Convocations. After the settlement of the academic questions just noticed, the controversy turned chiefly upon the question of the age at which the Friars might admit novices. In 1357 Richard Fitz-Ralph,

---

1 Collectanea, II. pp. 264-272.
2 Mr. Bliss has kindly communicated to me transcripts of these Bulls, which are now in the Public Record Office. Cf. Little, Grey Friars, p. 40.) On some points the Friar-ridden Edward II was induced to write in their favour to the Pope, in the teeth of his own injunctions. Rymer's Foederis (1706), III. p. 588
3 Collectanea, II. p. 272.
4 It is interesting to see that William of S. Amour was still read at Oxford. This appears from a MS poem in the Bodleian, James MS. 1, p 86. He is often referred to by Wycliffe.
bishop of Armagh—the great champion of the Seculars—commonly known to the Middle Age as Armachanus—proceeded to the Court of Avignon to expose the danger of kidnapping or inveigling young scholars, for which popularity of the Friars as confessors afforded great attractions. The allurements held out by the Friars to boys as not to be uninfluenced by a present of apples inspired the parental mind with such alarm that the fathers of the Universities were, it was alleged, falling off astounding rapidity. Fitz-Ralph died at Avignon and the University did not send another legation. They, however, took the matter into their own hands by passing resolutions against the admission into the Mendicant Colleges of students under eighteen years of age. On this point, how the Friars triumphed over the University at the moment of 1366; though they were forbidden to use apal Bulls which they might have obtained to the A Friar's Apology.

asional bickerings between the secular Masters and Friars continued, however, to be among the normal incidents of University life. An amusing illustration of the sort that was ever going on in Oxford occurs in 1358 after the mission of Armachanus), when a Friar, having in a sermon attacked the ‘Sophists’ as who want to seem wise but who never attain to isdom, was supposed to be aiming at the Faculty of whose students were technically known by that designation.

1 The discourse which he then delivered, Defensorium Curatorum, is printed in Brown’s Appendix ad Fasciculis rerum expetendarum, pp. 466-486. Wycliffe declares that Armachanus was assisted by the English Bishops. Fasciculi Zizaniorum (ed. Shirley. 1854), p. 284. Cf. Poole in Dict. Nat. Biog., and below. p. 581.

2 In 1358, Mun. Acad. pp. 204 5.

3 Rot Parl. II p. 390.
§ 2.

Constitution fixed, c. 1314.

It is, however, no part of my plan to enter into a detailed history of the later relations between the University and the Friars. The University constitution as it emerges from the great dispute of 1312–1320 continued in its main lines unaltered. We have no evidence to show how far the amendment imposed by the Royal letter of 1314 was observed. But, whether the majority had to be composed of three Faculties or two (in addition to the Non-regents), there is no doubt that a Statute could be carried by a majority of Faculties. It should be added that, as at Paris, only one Mendicant Doctor of each Order might sit in Convocation at the same time.

In a document belonging to the latter half of the fourteenth century or later we find the whole process of voting on a Statute described in elaborate detail. The proceedings are to be spread over five days. On the first day the proposal is to be promulgated by the Proctors in the Black Congregation. On the second day it is to be discussed. On the third day the Chancellor summons a Great Congregation, when the Non-regents elect their 'Scrutators' and through them receive a copy of the

1 *Mun. Acad.* pp. 211–12. A dispute between the Austin Friars and the University terminated in the submission of the former in 1357. *Archives, Pix Y. S. E. P.* 11 (Twyne, III. 368). An original document relating to this affair is pasted into the Twyne MSS. II. f. 380. (Cf. *Mun. Acad.* p. 208.) In the fifteenth century we often find a Regular who had graduated elsewhere admitted to the privileges of Regency 'excepto quod non intret domum Congregationis.'

2 There were other constitutional disturbances at about this time. In 1327 a 'pugna' took place which led to the deposition of the Chancellor and Proctors of the University. See *Chronicles of Edw. II and III.* ed. Stubbs, I. p. 332. Cf. *Mun. Acad.* p. 119 sq.

3 *Mun. Acad.* p. 453: the Dominicans appear to have here enjoyed no special privilege.

4 *Mun. Acad.* pp. 481–483. The document is apparently not a Statute but merely a memorandum for the use of the Proctors. Since in the Chancellor's book it is inserted only in a later hand, the earlier part of the book being written *circa* 1350, it is probable that it belongs to the second half of the century. S. Mildred's is not mentioned as the place of session for the Black Congregation, which might suggest a still later date.
proposed Statute\(^1\). At another Congregation the Statute is discussed and voted on by the separate sections of the University, who retire for the purpose to different parts of S. Mary’s Church. The Non-regents presided over by the Scrutators ‘are to remain in the choir; the Theologians in the Congregation House; the Decretists in the Chapel of S. Anne; the Physicians in the Chapel of S. Catherine; the Legists in the Chapel of S. Thomas; the Proctors with their Regents in the Chapel of the Glorious Virgin\(^2\).’ After a second discussion on the next day the votes of each of the six bodies concerned are handed in\(^3\). This elaborate procedure, extending over five days, was of course only observed when a Statute in the proper sense of the word, as opposed to temporary decrees or dispensatory graces of the University, had to be passed.

It should be added that we do very rarely find occasional Statutes for the regulation of their own internal discipline\(^4\), but as a general rule Statutes relating to all Faculties—even those dealing with educational details or with internal discipline—were enacted by the Congregation of the whole University. The want of independent corporate life on the part of the superior Faculties and their

\(^1\) In the fifteenth-century Register we find that Statutes were usually drawn up by eight delegates appointed for the purpose—precisely the number which we have seen to be usual from an earlier period at Bologna and Paris.

\(^2\) Maneant Non-regentes in choro; theologii in domo Congregationis; decretistæ in capella S. Anæ; medici in capella S. Catharinae; legisti in capella S. Thomæ; Procuratores suæ cum Regentibus in Capella Gloriosæ Virginis.

\(^3\) The last relic of the system of voting by Faculties is the formula still in use, ‘Placet ne vobis, Domini Doctores! Placet ne vobis, Magistri!’ though, upon a scrutiny, no notice is taken of the division into Faculties.

\(^4\) In *Mun. Acad.* p. 409 there is a list of regulations ‘expedita Facultate Decretorum.’ So on p. 411: ‘auctoritate domini Cancellarii et Procuratorum Universitatis, necnon et omnium Magistrorum in facultate artium regentium, ordinatum est et prorsum.’ On one occasion the Faculty of Law obtained a Royal letter allowing them to hold meetings ‘pro omnibus negotiis vos ac gradus et facultates vestras concernentibus,’ but this was only to enable them to carry on a pending suit against the University, notwithstanding a recent edict against ‘illicit conventicles.’ *Rot. Pat.* 8 Ric. II, pt. 2, m. 35; *Ayliffe*, II. App. p. xxxv.
§ 3. The University and the Town.

I have thought it well to reserve a separate section for the curious history of the process by which a Society of teachers succeeded first in sharing, then in almost monopolizing, the government of an important English town. The enquiry is an interesting one because it explains the origin of those singular liberties which still survive among us—almost the last relic perhaps in all Europe of the old clerical immunities. But our subject possesses a higher and more solid interest on account of the light which it incidentally throws upon the conduct of local government, the administration of justice, and the realities of clerical and academic life in medieval Europe generally.

In enquiries of this kind we are, as it were, sinking a shaft

---

1 It is doubtful, however, how long the Black Congregations continued to be held. In 1570, when a movement took place for the reform of the University's utterly uncodified and mostly obsolete Statutes, it was summoned by the Proctors at the command of the Vice-Chancellor; but we are expressly told that it had become obsolete, and that doubts were entertained as to whether it had not been repealed by Statute. (Register KK 9. f. 94 b.) The Church in which it was held was partly pulled down in 1437 and fell into complete ruin by the time of Henry VIII (Wood, City, II. p. 95). This circumstance may by itself have assisted the disappearance of the Black Congregation, which was also promoted by the extinction of all Regents in Arts except the most junior Masters, i.e. the necessary Regents. See below, pp. 514, 517.
into the accumulated rubbish of ages; and it may be doubted whether from any other boring we could extract more precious historical ore than from the documentary remains of the Universities, and especially of Oxford and Cambridge. We are struck in reading these records with the minuteness of the control exercised by the King and his Council over local affairs. The government of a medieval town was carried on in accordance with what still remains, under altered forms, the distinctly English system of administration—a system neither of centralization nor of decentralization, but of local self-government subject to central control and inspection. Then as now the ordinary administration was in the hands of elected local officers: but no matter was considered unworthy of the interference of the King and his Council, when once attention was called to any neglect on the part of the local authorities. The rights of Parliament were never so understood as to exclude administrative action of a kind which would now be looked upon as actual legislation. Thus at Oxford we find constant royal orders upon such matters as the repair and cleansing of the streets, or the slaughtering of cattle within the City 1. The clerks being imperfectly acclimatized were more fastidious than the townsmen in such matters. Thus in 1300 a Royal letter to the Sheriff complains that 'the air is so corrupted and infected' by the filth in the streets 'that an abominable loathing' (or perhaps 'ague') is 'diffused among the aforesaid Masters and scholars,' a state of things aggravated by the practice of the regators burning fat (unctum et sepultum) before their houses 2. There are frequent orders requiring each inhabitant to repair as well as clean the pavement in front of his own door. In the minuteness of its sanitary inspection medieval administration far sur-

1 e.g. Rot. Pat. 13 Ed. III. p. a. m. 80. Ayliffe, II. App. p. xliii.;
2 'Per fines et simearia, et plures alias sediitates que in stratis et venellis ville predicte ponuntur et colliguntur aer ibidem in tantum corruptitur et infectit quod magistris et scolaribus predictis et alii ibidem conversantibus horror abominabilis incitatur.' Rot. Claus. 29 Ed. I, m. 14 dorso (Harc, Priv. f. 19b: Wood, i. p. 369).
passed anything that obtains in these days of Social Science and hygienic civilization. In 1293 for instance a Royal letter was directed to the Sheriff forbidding the use of the corrupt water of Trillmill stream (on the south of Oxford beyond Pembroke College) for brewing and baking purposes. Antony Wood laments that in his own day 'very unwholesome liquor' was still brewed from the dilute sewage of the offending rivulet, 'which without doubt,' he adds, 'is the author of several diseases among us.' The Crown ever exercised a fatherly supervision over the well-being of the scholars. Tournaments and jousts were forbidden in Oxford and its neighbourhood lest they should be distracted from their studies, and to this day the Vice-Chancellor retains the right of prohibiting or exercising a censorship over theatrical entertainments in the town. Disputes between Town and University were constantly referred to the King and Council, as also (though more rarely) between conflicting University authorities. There were practically no limits to the interference of the Crown when once interference was provoked, though the general policy of the English Kings was to uphold and protect local liberties. Instances occur of both Chancellor and Proctors being removed by Royal writ. There was of course no notion of the University having legal rights which it could enforce against the Crown. So far as secular authority was concerned, the Crown was practically absolute. Few of the privileges either of Town or University rested upon any parliamentary basis, nor were they part of the Common Law. They were the creation of the Sovereign's favour and were liable to suspension or revocation at his pleasure. A Churchman might of course have claimed the scholar's exemption from lay tribunals as an indefeasible right. But, though in all but very grave cases the cognizance of clerical offences was left to the ecclesiastical tribunals, the King in Council would

1 Placita coram Rege de: Term. S. Mich. 21 & 22 Ed. I. Rot. Scacc. 5; Wood, I. p. 345. There is still a

Brewers' Street here.

2 Rot. Claus. 33 Ed. I, m. a dextra.

3 See above, p. 396, n. a.
never hesitate to imprison a clerk in Oxford or any-

It has already been pointed out that the Chancellor's power was in its origin purely ecclesiastical. The jurisdiction which the Official of the Bishop or Archdeacon exercised over other ecclesiastics was specially delegated to the Chancellor in the case of Masters and scholars of Oxford, and (as time went on) of a gradually increasing class of dependents to whom the favour of the University extended some of the least of the then very real benefits of clergy. This jurisdiction was originally claimed in all criminal cases, though in earlier times the more serious cases were reserved for the Bishop's ordinary tribunal. The Chancellor's jurisdiction was enforced by excommunication and penance: imprisonment was regarded rather as a preliminary to trial than as a normal form of punishment. Over laymen the Chancellor had at first no jurisdiction, except in so far as the exercise of such jurisdiction might be incidentally necessary to the enforcement of his authority over his clerical subjects, or to their protection from lay violence; and then his jurisdiction was spiritual only. It is, however, easy to understand that in cases arising out of quarrels between a scholar and a townsman it might often be difficult to say with precision which of the parties was plaintiff and which defendant. Moreover, at a time when the spiritual Courts exercised an extensive control over the private lives of laymen, it is not very surprising that the Chancellor's jurisdiction should occasionally have been extended beyond the limits which the theory of his office would seem to prescribe: and this extension would be facilitated by the fact that there was no Bishop's Court at Oxford, but only that of the Archdeacon. At all events, in one way or another the Chancellor as a spiritual judge seems to have gained a good deal of jurisdiction over townsfolk before he received any express recognition of his authority from the Crown.

Of the first recorded collision with the townsmen and its sequel enough has been said. The Ordinance of 1214
CHAP. XII, produced no change in the constitutional position beyond dividing between the Bishop and Archdeacon on the one hand and the Chancellor on the other the rights hitherto enjoyed only by the former—namely, the right of demanding the surrender of an imprisoned scholar, and (where the Bishop allowed it) conducting the trial. The affair was settled by the Papal legate and the Bishop of Lincoln without any interference of the King. A fatal affray which took place between Town and Gown in 1228 was likewise settled by purely ecclesiastical authority, the offender being positively allowed (such a thing would have been impossible a century later) to be sent to Rome for trial. The promptness of the ecclesiastical authorities to protect the scholars of Oxford contrasts strangely with the apathy shown on the somewhat similar collision of the following year at Paris, and England profited by the reputation which it enjoyed as a safe place for clerks by receiving a colony of the dispersed Parisians. They were specially invited to England by a letter of Henry III. Many of them certainly settled at Cambridge, but others no doubt came to Oxford. The increased importance given to the University by this augmentation of numbers may be traced in a succession of Royal briefs. In 1231 the King ordered that the Mayor and Bailiffs should allow the Chancellor to use the town prison for the confinement of refractory clerks: and a few years later

1 The Privilege of 56 Henry III (Ap. 28, 1272) speaks of 'libertates per chartas predecessorum nostrorum Regum Anglie et nostras concessas.' If there were such charters, they have not come down to us.


3 Rot. Pat. 13 Hen. III. m. 6 (Hare, Mem. f. 1). In 1231 a Royal writ about the taxation of lodgings declares that 'apud villam nostram Oxon. studendi causa e diversis partibus tam cismarinis quam transmarinis confluat multitudo.' Rot. Claus. 15 Hen. III, m. 13 dorso (Hare, PRIV. f. 1).

4 Letters of Hen. III, ed. Shirley, 1862, i. 399. At a later date the town was directed to provide a separate prison for scholars and other slight offenders 'of good condition,' and not to imprison them 'inter latrones' (Twyne, IV, p. 64). The prison actually used was the chamber over Bocardo Gate which then stood close to the tower of S. Michael's Church.
the Constable is directed to allow the use of the King’s prison in the Castle for the same purpose. The fact that there was at Oxford no regular Bishop’s prison such as was to be found in every episcopal city or (if there was one) the fact that the Chancellor was not allowed to use it, no doubt contributed to that confusion between spiritual and temporal jurisdiction which is at a very early period traceable in the relations between the Chancellor of Oxford and the townsmen. It is natural to find that the Chancellor always experienced a certain difficulty in obtaining the assistance of the secular arm in executing his decrees, though the Sheriff, Mayor, and Bailiffs are constantly enjoined to render such assistance. It seems, indeed, to have been the custom, when a scholar was sentenced, for the Bedel simply to invite him to go to prison on his own account. If the invitation was declined, he was merely banished from the University. In the year 1231 another important step was taken towards the establishment of discipline among the motley crew with which the fame of its schools had flooded the streets of the town by a Royal brief directing the Sheriff to expel all so-called scholars who were not under a regular Master.

The first important extension of the Chancellor’s jurisdiction took place in the year 1244. In that year a raid was made upon the Jewry by a body of scholars. Fifty-five of them were imprisoned and Grossetête had some difficulty in procuring their surrender. But about a fortnight later a charter was granted by which the Jews of Oxford were forbidden to take more than 2d. in the pound per week as interest from scholars, and all disputes of the kind which had no doubt led to the anti-Semitic outbreak were referred to the Chancellor’s decision. By this charter the Chancellor acquired jurisdiction in actions of debt, disputes about rents or prices, and all other ‘contracts of moveables’ in
which one party was a clerk. A charter of 1248 authorized the Chancellor and Proctors to assist at the assaying of bread and beer by the Mayor and Bailiffs, and imposed upon the latter an oath to respect the liberties and customs of the University, to be taken on admission to office. The Town was also made liable in its corporate capacity for injuries to scholars. Otherwise no change was made in the limits of the Chancellor’s jurisdiction. To the spiritual jurisdiction which he possessed by the ordinary ecclesiastical law, and the civil jurisdiction conferred in 1244, the charter of 1255 for the first time added a criminal jurisdiction even over laymen, for breach of the peace. By this charter it was provided that if a layman did any grievous injury to a clerk, he should be imprisoned in the Castle, and detained there until he satisfy the clerk and that at the discretion of the Chancellor and University. It is clear that the jurisdiction here conferred is very ill-defined: but it must at least have enabled the Chancellor to keep an offending burgess in prison till he consented to pay any price the University chose to demand or to do an ecclesiastical penance.

The disputes been the Town and the University led in

---

1 See the Inspeiximus of 1268 in Mun. Acad. p. 777.

4 In 126; a jury found that the Chancellor’s jurisdiction extended to Jews who, as the King’s chancellors, would have been exempt from the ordinary ecclesiastical Courts; Rot. Pat. 45 Hen. III. m. 19 dorso; Rot. Claus 45 Hen. III. m. 14 (Hare f. 6); Inquis. post mortem no. 50, Hare f. 6.

l, as everywhere, to frequent secessions. Half the
ités in Europe owed their origin to such migrations
itself probably among the number. A similar
ion from Oxford in 1209 led to the establishment of
ent University at Cambridge. In or about the year
of the usual conflicts with townsmen led in turn to
us from Cambridge to Northampton. At first the
iversity seems to have been encouraged by the
en he ordered its dissolution; but in 1263 a
ince at Oxford, followed by a writ ordering the
n of the Oxford Schools partly perhaps in view of
ion of the Parliament which was to be held there
pring, had the effect of still further reinforcing the
ampton settlement. The motive for this order seems
een the sympathy shown by the scholars of
for the King's enemies in the Barons' War. At
re of Northampton in 1264 the scholars did much
l among the King's forces with bows and arrows—
ith which they may have been familiarized by
al practice in the streets of Oxford. On the capture
own the clerks narrowly escaped hanging at the
f the indignant monarch. After the King's defeat
, the scholars were commanded by a writ issued in
ame to return to Oxford, and soon afterwards
order decreed the 'entire cessation of the Univer-
self 5.'

Pat. 45 Hen. III, m. 17

Chap. XII.

Secession to Northamptun, 1263.

Rer. Ang. SS. II. p. 581', while
Higden (ed. Lumby, VIII. p. 248'),
says, 'Rex Henricus ejecxit universitatem de Oxonia.'

3 Upon hearing the King's threats,
'raserunt capita sua multi' Knyghton,
ap. Twysden's Scriptores Decem,
c. 1652, Walter of Hemingford, l. c.:
 Cf. Chron Abendon, ap. Twyne,
MSS. XXIV. p. 696.

4 Rot. Pat. 48 Hen. III, m. 12
Iare, Priv. I 8 a).

5 Rot. Claus. 49 Hen. III, m. 10

He mingford declares that
'traty was moved 'jussu

Chron. cap. 39 ap. Gale.

Flores Histori-Luard, II. 1890), p. 458.

Iare declares that
It is highly probable that the emigrants of 1262–4 must have found a body of scholars already established in Northampton. At all events an earlier migration from Oxford had taken place in the year 1238 when a quarrel arose at Oseney between the scholars and the Legate Otho who was lodging in the monastery. A party of scholars had come to the Monastery to salute the Legate, but were rudely repelled by his servants. At the same time a poor Irish chaplain was begging at the kitchen door, when a caldron of hot water was thrown in his face by the Legate’s brother, who filled the office of ‘Master of the Cooks’ to his Eminence. The enraged scholars fell upon the Master-cook, and killed him. The Legate had to take refuge in the town, and at night fled for his life. Oxford was laid under Interdict, the University suspended, and the offenders proceeded against with much vigour by the King. The result was a dispersion. Some of the fugitives established themselves at Northampton, and it is not unlikely that a Studium of some kind maintained itself in that city continuously from 1238 to 1264: others went to Salisbury, where we have interesting evidence of the continuance of the Studium then established as late as 1278. In that year we find a compact drawn up between the Chancellor and the Sub-dean of Salisbury with respect to the limits of their respective jurisdictions over the scholars of the place. There is nothing in this by itself to denote the presence of a Studium Generale. The Chancellor of the Cathedral Church everywhere claimed spiritual jurisdiction over the scholars of the Cathedral City, and granted Licenses to their Masters. Still the number of their Masters, the circumstance that they belong to more Faculties than one, and the fact that the causes and contracts spoken of are evidently not the disputes of mere schoolboys,

2 Walsingham, Ypogyma Neustria, ed. Riley, l. 141.
3 *Inter omnes scolares, cuiss-
probable that the Schools here were of a character Chap. XII, have no reason for believing to have permanently at such places after the growth of the Universities. y earlier, or at some Cathedral town much more om a University than Salisbury is from Oxford, such n would excite no surprise. But at Salisbury in 1278 ave little doubt that such an agreement reveals the existence of the Oxford colony of 1238. Salisbury in fact a University town. It would be vain to how far the colony may have been reinforced by ple of 1264, or by one of the many disturbances North and South or Town and Gown which the years 1264–1278. It is vain to speculate which causes may have led to the attempt to found or a Studium at Salisbury. It is of more importance e how immediately it is assumed that the local authority has the same jurisdiction over the new that they had exercised over the mere Grammar-ore their advent. This is exactly what would have d at Oxford had it possessed a Cathedral or it Collegiate Church.

In all probability to the capture of Northampton by I that we owe the fact—on the whole a regrettable at England possesses no more than two ancient ties. Another very determined effort to found a new ty at Stamford was made by the Northern scholars d, worsted in their battles with the Southerners, in 1334, or, as another account has it, by Masters in an encounter with scholars1. It required the

\[ \text{Secession to Stamford, 1334.} \]

On the secession to Stamford, see also Knighton, ap. Twyden, c. 2965; Rot. Parl. vol. II. p. 76; Rymer's Foederer, vol. IV. (ed. 1707), pp. 522, 638; Rot. Claus. 8 Ed. III. m. 17 dorso (Hare, Mem. I. 37); Peck, Academia tertia Anglicana, London, 1727. According to a fragment from an apparently lost Chronicle preserved by Twyne and printed II (2).
most strenuous exertion of the Royal authority to disperse
the seventeen Masters who persisted in lecturing in spite of
the Royal prohibition 1; and until within living memory an
oath not to lecture at Stamford was exacted from all can-
didates for the Mastership at Oxford. 2. Once more in the sev-
teneth century the jealousy of the older Universities was
unfortunately allowed to prevent the execution of Cromwell’s
project of founding a northern University at Durham. It
is impossible to doubt that the cause of Learning in England
has been injured by the paucity of its Universities, or that
the stagnation of Oxford and Cambridge at certain periods
of their history has been aggravated by the total absence
of competition. Perhaps even at the present day English
education suffers from the too exclusive prestige of her two
ancient Universities.

A new era in the development of the Oxford privileges is
opened by the accession of Edward I. 3. A Royal writ of 1275
conferred on the Chancellor the cognizance of all personal
actions whatever wherein either party was a scholar 4,
whereas it is not clear that the former privileges gave
a civil jurisdiction except when the scholar was defendant.

in Appendix XXII, the secession was
due to the defeat of the Masters
in a bloody encounter with their re-
bellious scholars. Was it some earlier
fracas of this description which in-
duced Master William Whatley to re-
tire to Stamford and there solace
his leisure by writing a commentary
on Boethius’ De disciplina Schola-
rum, now in the Exeter Coll. Library
(MS. No. 98)? If so, certainly
his choice of subject is intelligible
enough. The words ‘qui rexit
scolas Stamfordie anno ab incarna-
tione Domini millesimo tricente-
simo nono’ might be used of a
mere Grammar-school Master, but
this is scarcely probable. The
MS. has very much the appear-
ance of being a course of academic
lectures.

1 Rot. Escaet. 10 Ed. III. No. 172
(Hare, Mem. f. 45).

2 Mem. Acad. p. 375; Laudian
Code, ed. Shadwell, p. 111.

3 In Rot. Pat. 8 Ed. I, m. 21 (Hare,
Mem. f. 18) the King orders the
‘custodes cambii sui’ to send £3000
to the Chancellor and Proctors ‘ad
utilitatem scholarium.’ This was no
doubt connected with the calling in of
false and clipped coin. Wood, l. 303.

4 Rot. Pat. 3 Ed. I, m. 6 (Hare,
Priv. f. 13). The privilege contains
a clause ‘non obstante prohibitions
nosstra.’ This is interpreted by
Wood to mean that the King had at
a former period prohibited the exer-
cise of this jurisdiction; but of course
its real effect was to bar an applica-
tion for a prohibition to the King’s
Court.
same reign we find a legal recognition by the Chap. XII, of a jury of the immunity of Halls or Houses 1 by scholars from a variety of fiscal and civic 2. This immunity would appear to rest, not to 3 assumed upon previous Charters, but upon custom, approved perhaps by the King or his but not hitherto enjoying any legal sanction. In the growth of the University privileges in this it must be remembered that we are at present age which was governed by custom rather than law, and an age in which a precedent of few years was held quite sufficient to establish m whereof the memory of man went not to the 2. her important right of the University, which was in Taxation e. instance probably due to mere assertion, was the of Halls. e that houses once occupied by scholars for Halls 4. 5. 6. 7. 8. 9. so long as there Masters who wanted to take them 3. The taxas- Halls by a joint board of burgesses and Masters is in which was established from the earliest times in lieval Studios. At Oxford it obtained canonical 1 from the Ordinance of 1214, and Royal approval general confirmation of the University customs in id 1248. But the scholars of Oxford, as of some universities, claimed that when once a Hall was let

rectis; visibus Franci plegi, allagiis, vigiliis, finibus, rebus; americiamentis, contris, aut alis quibuscunque emergentibus, &c. Wood, however, gives no refer- nee original. not precisely determine of the Chancellor's power oning prostitutes. It was asserted as part of his power of dealing with dis- f the peace of the Universi- is assumed in the petition of the University and the answer given to it in the Parliament of 33 Edward I (Memoranda de Par- liamento, ed. Maitland, p. 44'); where the Chancellor finds a difficulty in dealing with such characters when they lived beyond his then jurisdic- tion, 'ultra peti-pont in parochia S. Clementis.' The answer is that he must catch them when they enter the town.

to a scholar, it should never be let to a layman, unless the
owner might himself wish to occupy it. This claim of
the University was sanctioned by a writ of Edward I in
1303 1.

Towards the close of the thirteenth century we find
abundant evidence of the growing powers of the University.
In 1288 disputes arose out of the attempts of a certain
Robert de Welles, the King’s Bailiff, to resist the juris-
diction of the Chancellor, not indeed in the town itself but
in its suburb outside the North gate. The open space
then called Beaumont fields, which embraced not only
the present University park but also the wide street or
open space known as St. Giles’s, appears to have been at
that time the usual students’ playground—the ‘Pré-aux-
clercs’ of Oxford: hence it is easy to understand how
collisions between the University and the Bailiff would arise.
The Bailiff had been excommunicated for imprisoning
a Bedel and refusing to obey the citation of the Chancellor.
He retaliated by procuring the attachment of the Chan-
cello r’s Commissary, one of the Proctors, and other members
of the University. But, on the matter coming before the
King’s Council, the rights of the University were upheld
and the officious Bailiff removed from his office 2. On this
occasion we find the University employing the favourite
weapon of their Parisian brethren, a threat of ‘Cessation’
in the event of the obnoxious official being restored. Two
years later the whole question of the relations between the
Town and University became the subject of discussion
before the King in Parliament. By this time it is no
longer a question of protecting defenceless scholars from
the tyranny of brutal burghers, but of protecting respect-
cable citizens from oppression by the Chancellor’s Court
and the hundreds of quarrelsome boys who were always
ready to annoy their lay neighbours by the abuse of its

1 Archives, Pix Y (S. E. P.), 5.
2 Mun. Acad. p. 43 sq., 68. The King
had ordered the excommunication to
be raised till the session of Parlia-
ment; Rot. Pat. 14 Ed. I., m. 7 vac
(Hare, Mem. t. 19 b); documents
from City Red Book in Twyne, IV.
p. 98.
THE UNIVERSITY AND THE TOWN. 401

4. The jurisdiction, sometimes salutary enough, often petty and inquisitorial, exercised by the ecclesiastical Courts everywhere—not only during the Middle Ages but down to 1642—is too much lost sight of in estimating the real relations between Church and people during these periods. At Oxford the number and ubiquity of the clerical population added in asserting the rights of their order against laics. Already it is complained that the Chancellor appropriates to himself the forfeited victuals of persons and flesh or fish confiscated as unfit for human nposes in the name of imprisonment of laymen and the By the judgment of the King and Parliament, the Chancellor’s jurisdiction is for the first time defined. But, though provisions are inserted against this complaint, the net result—as in all subsequent similar dispute—was a substantial addition to the already which the academic monarch had hitherto legally. He now obtained jurisdiction in case of all committed in Oxford, where one of the parties was a scholar, except pleas of homicide and mayhem. His motion over the King’s Bailiffs is affirmed, but with them to apply to the King’s Court if aggrieved by


ceptis placitum de morte hominum et mayhemio.’ The successive confirmations of the privileges of the University till a Charter in 1271, Rot. Cart. 14 Ric. I, Hare, Mem. f. 107, which gives ‘felicia et mayhemio exceptis,’ which long continued to exist, the legal limit of the Chancellor’s jurisdiction, see App. XXXII). As a matter of fact, the plea affected was held in lay fee would be held from the jurisdiction of ecclesiastical Courts. (Cases affecting College property were constantly tried in the town court of Hasting,	Cf. the Bull of Boniface IX, ‘tribus casibus, videlicet homicidio, mutilatione, et libero tenemento duntaxat exceptis’ (Mun. Acad. p. 79). In the first two cases, scholars would be surrendered to the Bishop after trial at Assizes. One other class of cases was exempted from the Chancellor’s jurisdiction, i.e. pleas which ‘touch the Crown.’ This exception is made in the verdict of the Jury about the Jews, above, p. 394, n. 3.
the Chancellor's proceedings. In civil cases it was to extend to all contracts where one party was a scholar and the cause of action arose in Oxford. The victuals—including the stinking fish about which the civil and ecclesiastical authorities were so strangely at issue—or rather perhaps the pecuniary fines imposed upon their vendors, were to go as Royal alms to the hospital of S. John, which then stood outside the eastern gate near Magdalen bridge. The liberties of the University were affirmed to extend to the 'families' (i.e. servants) of clerks, as well as to the Bedels, parchment-makers, illuminators, writers, barbers, and 'others who wore the livery or robes of the clerks.' If, however, the latter engaged in 'merchandise,' they were to be tallageable like the burgesses.

It was customary for the University, like other corporate bodies, to apply from time to time for a confirmation of its Privileges and Charters, particularly on the accession of a new Sovereign. A curious notice has been preserved as to the terms on which these renewals were granted. Scholars were a poor class, but all clerks could read and pray, and in those days prayers were a marketable commodity. Accordingly, when a confirmation of Charters was applied for in 1315, it was granted in return for 1,500 whole psalters, in consideration of which the fee for sealing was remitted. Would it be rash to infer that in the number of whole psalters prescribed we have an approximate estimate of the number of scholars then studying at Oxford?

Passing over some grants of minor privileges of no great

---

1 'Forisfacturae, emendac, et mercia, de carnibus et piscibus putridis et non competentibus.' Mun. Acad. p. 51.
2 'Nisi clerici et eorum familiae et servientes pergamenarii luminatores scriptores et alii homines de officio qui sunt de robis ipsorum clerorum.' Mun. Acad. p. 52. The last clause can hardly mean persons engaged in making the clerks' robes (i.e. tailors) as Mr. Anstey supposes. To be 'de robis' of a noble meant to be a member of his household or suite, a companion or servant.
3 'Per ipsum Regem et consilium et pro mille quingentis psalterios, et sint quieti de feodo sigilli.' Rot. Pat. 8 E. II, pt. ii. m. 11 (Hare, Prin. f. 59).
interest, we come in 1354 to a great crisis in the history of the University. To give the reader some idea of what the medieval Town and Gown war really was, I propose to relate the story of this particular engagement (for such it may fairly be called) in some detail. But the relation of the events of this one war will give a false impression unless it is remembered that the kind of fighting which we shall have to describe was perpetually going on in the streets of Oxford on a smaller scale and with less fatal results. There is probably not a single yard of ground in any part of the classic High Street that lies between S. Martin's and S. Mary's which has not, at one time or other, been stained with blood. There are historic battle-fields on which less has been spilt.

Like nearly every disturbance of the kind, the affair of 1354 broke out in a tavern. Its origin cannot be better described than in the racy language of old Anthony Wood. On Tuesday, 10 Feb. (being the feast of S. Scholastica the Virgin), came Walter de Springheuse, Roger de Chesterfield, and other Clerks, to the Tavern called Swyndlestock (being now the Mermaid Tavern at Quatervois, styled at this day in leases Swynstock), and there calling for wine, John de Croydon, the vintner, brought them some, but they disliking it, as it should seem, and he avouching it to be good, several snappish words passed between them. At length the vintner giving them stubborn and saucy language, they threw the wine and vessel at his head. The vintner therefore receding with great passion, and aggravating the abuse to those of his family and neighbourhood, several came in, encouraged him not to put up the abuse, and withal told him they would faithfully stand by him. That was all: the same narrative would be a sufficiently exact description of scores of similar conflicts at Oxford, Paris, or any other University town. After this affairs took the stereotyped course. The

1 'Et cum quarta caput ejus fregit.' Robert of Avesbury, De gestis

2 'Annals, l. p. 456.'
vintner's friends rang the bell of the Town church of S. Martin. The commonalty 'in an instant were in arms, some with bows and arrows, others with divers sorts of weapons.' The scholars, at present defenceless, were shot at. The Chancellor appeared upon the scene to 'appease the tumult:' he was shot at, and had to flee for his life back into Gown-land. By his order S. Mary's bell is rung. At such a moment the Chancellor is not overmuch distressed to find that his annual proclamation 'contra portantes arma' has not been too literally observed. Ere long he is at the head of an army of English archers. With such weapons it is difficult to understand how the fight could have been maintained till even the close of a February day without a single man on either side being killed or mortally wounded. But neither townsmen nor gowysmen were as skilled with their weapons as the yeomen of Cressy. The fight had begun on a holiday: the next day was a 'legible' one. The Chancellor made proclamation against breaches of the peace. The obedient scholars, we are assured, betook themselves meekly to the Schools. But not so the townsmen. The Bailiffs had ordered the citizens to prepare for a renewal of hostilities, and had even hired reinforcements of peasants from the surrounding country. A 'determination' which was going on at the Augustinian Convent (the present Wadham College) was broken in upon by a band of armed townsmen. Fourscore citizens, armed with bows and arrows, laid wait in S. Giles's Church till after dinner, when the scholars began to appear in their accustomed recreation-ground in Beaumont fields. This time some of the scholars were mortally wounded. Again the rival bells of S. Mary's and S. Martin's were heard, and preparations made for a pitched battle. The gowysmen shut the town gates, for the rustics were seen swarming in from Cowley, Headington, and Hinksey; but it was too late to prevent a party of some 2000 entering, with an ominous black flag displayed, by the West gate. Hatred of the secular clergy was a pretty strong passion in the rustic mind of the fourteenth century. Now was a fine
unity for paying off old scores against the Parish. Some twenty Inns or Halls were pillaged. Scholars killed or wounded; their eatables and drinkables red; their books torn to pieces; the Halls themselves were fired. The next day the Chancellor is despatched, at the head of a deputation, to the King at stock. Meanwhile proclamation is made that the rs (who had been outnumbered and completely overpowered on the preceding day) shall remain in their . But again the Halls are broken into. More rs are killed outright in cold blood and their bodies stoned. Others, horribly wounded, are carried off to prison. 'The crown of some chaplains, viz. all in so far as the tonsure went, these diabolical imps off in scorn of their clergy.' Churches supply no army. The fugitives are beaten and wounded, clanged the very altars, nay, to the tabernacle itself. The forgetting for the moment their own very bitter nces with the University, come out in solemn process bearing the host and chanting a Litany for peace. rucifux is planted in the midst of the rioters with ocul hinc ite profani: but the sacred symbol is to the ground. One scholar is killed even while going to the Friar who bears the host. At last the rs begin to flee the town, and no further mischief is to be done. But for the scholars of Merton,
CHAPTER XII. Safe behind their solid walls, and a few others, the town is deserted.

But now comes the day of vengeance. For more than a year the Town lies under an Interdict, which is proclaimed in all the churches with the accustomed paraphernalia of bells and curses and extinguished tapers. The King issues a special commission for the investigation of the affair and the punishment of the offenders. The Mayor and Bailiffs are sent to the Marshalsea prison; the Sheriff—who was held, we may presume, responsible for not preventing the inroad of the rustics—is removed from his office. The further hearing of the affair is adjourned to London. Both University and Town surrender all their Privileges and Charters—the University including even those received from the Holy See—into the King’s hands. The University had, of course, decreed a ‘cessation,’ and indeed most of the scholars had of their own accord fled into the country. Not till a general pardon was proclaimed for the offences of the Clerks—an indication, by the way, that the scholars’ conduct in the affair had not been altogether as lamb-like as their advocates represented—and published throughout the country did they begin to flock back to their old haunts. As late as June 11, 1355, it was necessary for the King to send a writ to Oxford to entreat the Masters to resume their lectures.

As the outcome of the whole affair there resulted fresh privileges for the University, fresh humiliation for the Town. The assize of bread, wine, and ale; the assize of weights and measures; the cognizance of cases of forestalling and regrating; the ‘correction of victuals’; the punishment of both clerks and laymen for carrying arms; the cleansing and paving of the streets (which was to be enforced by ecclesiastical censure); the ‘assessment and taxation’ of privileged persons—all these matters were now placed under the sole and exclusive jurisdiction of the

1 'Nonnulli in eadem Villa prae ti-
more Laicorum latent in abscondito.'
2 Rot. Claus. 29 Ed. III, m. 29
dorsa (Rogers, p. 257).
Ogle, No. XXXIV.
Chancellor. The forfeitures for unwholesome or 'incom- petent' victuals were still to go to the Hospital of S. John. This provision might be held to throw an unpleasant light upon the obscure question of medieval hospital management, but here (as in former cases) it is not quite clear whether it was the victuals themselves or merely the pecuniary fines for selling them that were devoted to charitable uses and the benefit of the Sovereign's soul. On every one of the long-standing subjects of contention between Town and University the latter scored a permanent triumph. From this time forward the Town of Oxford was practically governed by the University ¹. The University thrived on her own misfortunes.

No less than £250 was to be raised by the citizens and paid to the Chancellor and scholars as compensation for all injuries except death and mayhem; the goods of the scholars which had been seized by townsmen were to be forthwith restored ². Besides the material compensation which they received from the Crown, the scholars were accorded an ample measure of what may be called ecclesiastical satisfaction at the hands of the Bishop. He enjoined on the City as a condition of the relaxation of the Interdict what was nothing less than an annual penance to be performed by the Mayor and chief citizens for ever. On every anniversary of S. Scholastica's day the Mayor, Bailiffs, and sixty burgheers were to appear in S. Mary's Church at the celebration of Mass with Deacon and Subdeacon (at their own expense) for the souls of the slaughtered scholars, and at the offertory each one of them was to offer one penny at the high altar. Of this sum forty pence was to be distributed by the Proctors among poor students and the rest to go to the Curate of the Church ³. The length of

¹ Rot. Chart. 29 Edw. III. n. 5 'Hare, Priv. f. 74; Registrum, p. 23. At the same time the power of the Chancellor to punish breaches of the peace by laymen, even when no scholar was aggrieved, was explicitly recognized and the Sheriff of Oxford required to take oath to respect the privileges of the University.
² Rot. Claus. 29 Ed. III. m. 17.
§ 3. Time during which this penance has been performed is one of those curious links between past and present which would hardly have been possible in any country but our own. After the Reformation the Town availed itself of the opportunity of neglecting the Popish ceremony. But upon the University bringing an action against the City upon their old bond for its observance, the Council ordered that the Mass should be commuted to a sermon and Communion, the offering to be made as heretofore. After a few years the service was changed to a Litany. In the year 1800 the Municipality once more attempted to shake themselves free from the humiliating observance. Once more the fine of 100 marks provided for in the bond was demanded by the University and paid by the town. It was only in 1825 that on the humble petition of the City the University was graciously pleased to forego its rights, and that the citizens of Oxford ceased to do annual penance for the sins of their forefathers on S. Scholastica's day, 1354.

The most curious part of the whole business is that we hear nothing of the sentence passed on the actual criminals. Several of the chief offenders are expressly excepted from the brief granted after the settlement of the affair, by which the accused were allowed to go out on bail. These were apparently reserved for trial at the Assizes. There can, however, be little doubt that they escaped hanging. Even the Mayor who had been the principal offender seems to have spent some years in prison, but he died rich and a liberal benefactor to Mother Church. The contrast between the mildness of the penalties inflicted on the actual ringleaders, and the severity of those imposed on the community, is very characteristic of medieval notions. Corporate privileges carried with them corporate responsibility.

1 Archives, A. 13; Cox, Recollections, pp. 112, 113.
2 Rot. Claus. 29 Ed. III, m. 17; Ogle, Nos. XXXVII, XLIV. The last document is dated Nov. 17, 1357. Yet by the Order in Council of July 17, 1355 (Ogle, App. No. III) it would seem that even the Mayor was to be bailed. It is not improbable that some of the offenders may have continued in outlawry (some possibly even in prison) till the general pardon at the King's jubilee in 1362 (Ogle, No. XLV).
It was to secure the better exercise of the supervision over the market conferred upon it at this time that the University appointed the officers known as 'Supervisors,' or 'Clerks' of the Market. The office still remains, though many of its functions have disappeared with the abolition of the old state-regulation of prices and other restrictions on trade: but the Clerk still exercises the power of summarily confiscating false weights and measures, and butter which is under weight.

Only one important accession of privilege remains to be recorded. Henry IV gave the University the right to claim the surrender of 'privileged persons' indicted for felony, who were thereupon to be tried by a newly-constituted officer of the University, the Seneschal or Steward, to be appointed by the Chancellor, provided the Lord High Chancellor were satisfied of his competence. The trial was then to take place according to secular law by a jury composed half of privileged persons out of a panel returned by the Bedel, and half of townsmen summoned in the ordinary way by the Sheriff of the County. The Commons petitioned against this unconstitutional if not illegal Charter, but in vain, and the University still retains this anomalous privilege as well as the older jurisdiction conferred on the Chancellor's Court, both being now sanctioned by a special Act of Parliament.

It should be clearly understood that in its origin the privilege affected only the case of privileged laymen, servants of scholars, and members of privileged trades, such as writers and stationers. Where the offender was not extended to clerks.

1 'Supervisores marcati' are not mentioned after this date till 1507 (for Clerks of the Market when the City still had control, see Ogle, No. XXII). We hear, however, of 'supervisores panis,' 'vini,' and 'cerevisiae' from 1454. On the whole subject, see the article in Collectanea, II. p. 199., by Octavius Ogle who filled this office for many years.

8 Rot. Cart. 6 and 7 Hen. IV, No. 3: Registram, p. 47.

8 The Steward also held a Court Leet in the name of the University. See Twyne MSS. XIII.

4 In 1454 they are thus defined (Mun. Acad. p. 346): 'the Styward of the Universite and fredmen of the same Universite wyth their menyall men, also alle Bedells with their dailly servants and their households, alle
§ 3. A clerk, even in those more serious cases which were not triable by the Chancellor, he was after conviction at Assizes surrendered to the Bishop to be dealt with according to ecclesiastical Law. In the majority of cases he was probably ‘admitted to purgation,’ i.e. allowed to get a number of other tonsured ruffians to join him in swearing that he had not done it, and was thereupon discharged. If he was refused purgation, or failed in his stacioners, barbours, the belle-rynger of the Universite, with all their householdes, all catours, maniples, spencers, cokes, lavenders, poverie children of Scolers or clerks [i.e. boy-servitors] within the precinct of the said Universite, also alle other servants taking clothing or hyre by the yere, half-yere, or quarter of the yere, taking atte este for the yere vi shillings and viii pence, for the half xii shillings and iv pence, and the quarter xx pence, of any doctour, Maister, graduat, Scoler, or clerke, without fraude, or malengyne. Also all common caryers, bryngers of Scolers to the Universite, or their money,’ &c.

1 Sir James Stephen speaks of this principle—that a clerk should not be surrendered till after conviction—as settled by the practice of the Courts by the time of Henry VI (Hist. of the Criminal Law, London, 1883, I. p. 460). But it was the usual practice much earlier. The jury was impannelled ‘ut sciatur quales liberari debent Episcopo’ (i.e. whether as guilty or not guilty). See the proceedings at the Oxford ‘Eyre’ of 1285 (Oxford City Documents, ed. Thorold Rogers, Oxf. Hist. Soc. 1891); and the same usage seems to have generally prevailed. Moreover, a constitution of Abp. Peckham enacts that ‘clerici pro suis criminibus detenti a publica potestate, et tandem pro convictis Ecclesiae restituiti, non facile liberentur, nec perfunctorie pro eis Purgatio admittatur.’ See the text with Lynwood’s comments in Provinciale, l. V. tit. 14, Clerici. At times it would appear that Bishops actually issued commissions to the King’s Justices to try clerks (so Bp. Burghersh in 1322: Linc. Reg. f. 51 b). There were exceptional cases—at Oxford as elsewhere—in which a clerk was hanged, e.g. in 1327, when scholars assisted the citizens of Abingdon in plundering the Monastery. See documents in Twyne MSS. XXIII. p. 200 sq.; Wood, I. p. 412. So in 1285, when Rogers (l. c. pp. 191, 223) thinks that the offender had previously pleaded his clergy. At about the end of the fifteenth century the judges would only surrender clerks in grave cases sine purgatione, with directions that the Bishop was to imprison them for life (Stephen, l. c.; Hale, Proceedings and Proceedings, London, 1847, p. lvii sq.). In 1489 we find a somewhat anomalous commission for the trial of a scholar issued to the Duke of Suffolk, the Mayor and five others (Materials Illustrative of the Reign of Henry VII, ed. Campbell, II. p. 489).

2 This was the usual course, but in 45 Henry III a commission to the Judge of Assize at Cambridge provides ‘ita tamen quod ad suspensionem vel mutilationem clericorum non procedatis sed eos ab uno modo per concilium Universitatis Cantabrigiensi etiam getis’ (Fuller, Hist. of Camb. ed. Prickett and Wright, p. 289).
The University and the Town.

Subjection of the Town.

The existing power of banishment to ten miles with reference to 'omnes pronubas et mulieres incontinentes.' In this last case the power has been exercised very recently. In 1482 we find in the Proctors' accounts, 'Pro delacione collistigii ad quadrivium pro punitione unius mulieris bannite, iiiid.' (Archives, W. P.—Y. 28. As to the power of 'discouraging' still occasionally exercised by the University, Twyne (XXIII, 491) declares that he knows of no express grant of it. It must be taken to be simply a part of the University's disciplinary power to interdict its own members from 'commercium cum oppidano,'
have been from time to time in the battles of the streets, the constitutional relations between the two populations continued to be regulated in the main by the settlement of 1355. It is difficult at the present day to realize the extent of interference with the private lives of individuals which the system of a godly ecclesiastical discipline really involved; though it must of course be remembered that lay town-government was hardly less minutely paternal. At Oxford a very peculiar mode of enforcing this discipline was established at an early period—a mode which appears to have been practised as regards the 'excesses' of scholars as early as 1280, and to have gradually extended itself to the misdoings of the laity. At irregular intervals what was termed a 'general inquisition' was instituted into the morals of the inhabitants. The town was mapped out into districts, to each of which a Theological Doctor and two Masters of Arts were appointed. These 'delegate judges' sat in the different Churches of the town and there held a general investigation into the characters of the inhabitants, a jury of citizens being summoned before them to give evidence on oath. A report was then made to the Chancellor, before whom the offenders were summoned with a view to excommunication and penance. One of these reports which has been preserved gives us full statistics as to the exact number of common scolds

Among the relics of this state of things which have survived till today or yesterday is the fact that the night-police of the City were wholly controlled and paid by the University till the Oxford Police Act of 1868. In the medieval Proctors' accounts we get charges of some £2 or £3 'pro expensis factis in nocturnis vigilis pro custodia pacis toti anno,' but excessive expenditure on this head is often surcharged by the auditors to the over-zealous Proctors personally (Archives, W. P.—Y. 28). Mr. Anstey's summary misrepresents the meaning. The 'tam per scholares . . . quas laicos' means by the evidence of a jury of scholars or laymen.

This 'Inquisition' was probably a local survival of the episcopal Inquisitions by means of Synodal witnesses, or Synodsmen (whence the more modern 'Sidesman'), which elsewhere became extinct—on the Continent largely because superseded by the Papal Inquisition. Grossetête had revived this Inquisition throughout his diocese. See Lea, Hist. of the Inquisition, I. p. 310 sq.
objurgatrix or intolerabiles), as well as Chap. XII, of notorious evil-livers of a more serious order who were bound in the parish of St. Peter's-in-the-East in the year 1441. Some of the offenders were reported merely for keeping late hours, a habit which in the fifteenth century exposed people to the gravest suspicions.

In spite of the inquisitorial character of medieval police, the annals of Oxford produce an impression of the extreme mildness of English criminal law in the Middle Ages—at least in corporate towns. It may have been quite otherwise, in particular cases with the villeins of rural Lords. One meets with no such sentences as perpetual imprisonment or demolition of the offender's house, which were occasionally the fate of an oppressor of the clerks of Paris, though even there murder could generally be compounded for. When bows and arrows or daggers were employed in every street-brawl, a very slight disturbance might often terminate fatally. At Oxford homicide was so frequent that the Proctors were directed to keep lists of such offenders who had been banished from the town. An execution was of the rarest possible occurrence. As a general rule homicides of a kind which in modern times would be more often treated as murder than as manslaughter were punished by a few months' imprisonment, or excommunication, or both, terminated by some kind of penance, of which a payment for the spiritual benefit of the deceased, and (if the victim was a scholar) for the temporal profit of his surviving brethren, in general formed a prominent part. Banishment from the place was in fact the only severe secondary punishment which seems to have been practically known to the jurisprudence of a medieval town. To the medieval mind the main object of punishment was to produce submission and promises of future amendment.

2 Instance the following:—'Item, eis, idem jurati, quod Isabella Hay custodit vigiliae suspiciose et frequentem usque ad medium noctem.' So Mauritius Kariore 'con-
suetudinaria custodit vigiliae suspiciosa ultra tempus' (l. c.).
4 Townsmen were frequently pilloried—not so, of course, the clerks.
Almost the only deterrent punishment (besides banishment) consisted in fines and ecclesiastical penances, humiliating perhaps but not severe. There was a quite intelligible feeling against the infliction of a punishment, such as prolonged imprisonment, which did not redound to the advantage of the persons inflicting it, and which would certainly have imposed a severe tax upon the innocent community. A man was only imprisoned as a means of compelling him to submit to the Court, pay his fine and swear 'not to do it again.' If he could not be caught, he was excommunicated with a like object. A curious instance of this domestic system of jurisprudence occurred in the case of an 'organ pleyer' of All Souls, who was imprisoned for adultery, but upon his 'weeping bitterly' the Warden was inspired with 'good hope of him for the future,' and became surety for him. Whereupon he was discharged without further penalty after a few hours' incarceration.

The great mass of the criminal business of the Chancellor's Court consisted in the settlement of assault cases of one kind or another. It must be remembered that in the Middle Ages it was not merely freshmen or young noblemen who were involved in street-brawls and assaults, but Masters of Arts, Monks, Friars, benefited Clergymen, Principals of Halls, even Heads of Colleges. Thus, within a period of ten years, we find two successive Vicars of S. Giles's in trouble. One of them was merely bound over to keep the peace; the other 'forfeited his club and paid two shillings.' A schoolmaster is imprisoned for inciting his scholars to drag from the pulpit a Priest who was reading his excommunication. Some of his devoted pupils afterwards joined him in gaol for attempting a nocturnal rescue. The Warden of Canterbury was convicted of consenting to his scholars violently seizing the beer of others to the value

1 In the earliest period, as we have seen, the Chancellor generally proceeds by excommunication. When he had acquired the power of imprisonment both of clerks and laymen, he was disposed to rely chiefly on the secular arm, though excommunication as well as imprisonment is frequently threatened in his edicts.
2 Min. Acad. p. 674.
3 Ib. pp. 588, 668.
He was merely required to pay the value of the goods

for various kinds of breaches of the peace varying from about a week's battles for a poor scholar—for resisting justice, or 'nocturnal wandering,' the offender being merely imprisoned till his fine was paid. It should be added that in the Chancellor's Court as in England generally—immense use was made of sureties. There are half a dozen cases where the private life of citizens as well as scholars was under regulation in the Chancellor's Court. Its nature was no doubt much the same as that of towns elsewhere; but in ordinary municipalities the was administered by elected magistrates. Brewsters and venners are pilloried or (if incorrigible) banished for bad beer, bakers for giving light weight. A person is punished for playing cards all night. Certain men are required solemnly to abjure the game within Oxford and its precincts: two others are obliged for speaking words against the office of Proctor, they swear to be faithful to the University in word and deed. Every species of quarrel in which a scholar or a beg person was concerned was brought into the

Proctor 'pro de transgressoris et perturbantibus pacem' was often only some twenty or thirty shillings. (Archives, W. P.—Y. 28.)

* Acta Curia Cancellarii * * Aaa., passim.


Ib. p. 602.

lj. p. 556.
Chap. XII. Chancellor’s Court, and, in nine cases out of ten, referred to arbitration or settled by an agreement drawn up under the auspices of the Chancellor.

In this way servants often settled their wages with their masters, writers with the stationers who employed them, and so on. In one case an agreement between a schoolmaster and the Prior of the Canons Regular, who had quarrelled, contains a clause providing that the parties should partake of an amicable meal together in the hall of the Prior’s College. In another, bad blood having arisen between two Halls, it was agreed that the Principals should kiss each other, and be reconciled. This parental system of adjusting disputes was no doubt well adapted to the wants of an age in which full-grown and well educated men fought and quarrelled and informed against one another on the slightest provocation, like children in a nursery. Few things are more calculated to make one realize the enormous extent to which civilization has succeeded in curbing and controlling the natural passions even of the lowest strata of modern society than the annals of a medieval University.

It is instructive, by the way, to notice that by the beginning of the fifteenth century Saxon oppression had already, it seems, developed the well-known characteristics of the Irish race. Their turbulence, exceptional even in the University towns, led in 1413 to the passing of an Act of Parliament banishing them from the Universities. Religious and graduates were excepted from the provision, but even these were required to find security for their good behaviour. After a temporary relaxation, the expulsion was actually carried out in 1423, except in the case of clerks producing certificates from the English authorities in Ireland that they were subjects of the King of England.

We have noticed the incessant oaths of amendment on

---

1 The cream has been skimmed from the Acta Curia Cancellarii in Mun. Acad. pp. 505–727.
2 Mun. Acad. p. 713.
3 Ib. p. 553.
5 Rot. Parl. IV. p. 190.
t of accused persons. Still more at variance with Chap. XII, notions was the practice of allowing a plaintiff who could not prove his case to require the defendant Purification to appear in Court to set their character right for himself on oath. Sometimes persons merely accused or accused by common report of discreditable appearances in Court to set their character right their neighbours. Thus on one occasion the Principal e Hall insisted on being allowed to swear that he a Scotchman. In some cases—in charges of lity, of theft or fraud, and even in actions of debt—ordinary system of compurgation, everywhere by the ecclesiastical Courts in dealing with cases of the clergy, was adopted in the Chancellor's In these cases, besides the defendant's own oath to oence, twelve or some smaller number of other were called upon to swear that he had spoken. This was the usual termination of all criminal actions against the clergy in other Courts for all from murder downwards. The only way in the procedure of the Chancellor's Court differed not of the ordinary Bishops' Courts is that at Oxford really did suffer minor punishments—fine and sent—whereas elsewhere they would too often have not free. Another peculiarity of the Chancellor's was its jurisdiction over the very large number of servants, and persons belonging to various trades connected with the University, who had been to the same privileges as actual scholars. The tension thus given to University privilege is specially ristic of the English Universities.

entirely misleading with a Mun. Acad. p. 631; to mission to compurgation ajury of twelve men before ller. In ordinary eccle- cuits, when a clerk offered himself, no evidence could for the prosecution. At people could, indeed, object to the clerk being admitted to pur- gation, but only, as Chancellor Gas- coigne remarks, at the risk of death or mutilation: hence that excellent Chancellor warns his successors against too great facility in admitting to purgation, which was at Oxford occasio intolerabili nequitiae. ib. p. 536.
§ 4. THE UNIVERSITY AND THE CHURCH.

The relation of the University as a body and of its individual members to the ecclesiastical authorities is, as we have seen, an entire blank up to the year 1214. The University was in a sense the child of ecclesiastical anarchy, and its subsequent history was not unworthy of such an origin. But the restoration of ecclesiastical order for a time placed the University entirely under the control of the Bishop of Lincoln. In the closeness of the relations between the University and the Bishop, Oxford in its earliest days resembles rather some of the smaller Universities of France, such as Orleans or Montpellier, than Paris, where a powerful Chapter and a capitular Chancellor stood between the Bishop and the University. What differentiates the position of Oxford from that of Angers or Orleans is the distance of the episcopal City. The closest, indeed the only close, parallel to the Oxford constitution is found in the Medical University of Montpellier, where alone we find an elective Chancellor, who is at once the Bishop's officer and the Head of the University—where also the University was not actually in the Bishop's See, though Maguelone is only a few miles from Montpellier, while Oxford is some 120 miles from Lincoln; and this latter circumstance is the determining factor in the process by which Oxford became emancipated from the jurisdiction, first of the Bishop of the diocese, and eventually even of the Metropolitan and Primate of all England.

In the period immediately after 1214 the Bishop, besides exercising his ordinary jurisdiction over Masters and scholars, claimed at times to regulate matters of purely academical concern. The Chancellor was merely his officer, and enjoyed just so much authority as the Bishop chose from time to time to delegate to him. His jurisdiction was merely concurrent with that of the Bishop and Archdeacon and their respective Officials. Thus in the case of a serious crime we find Henry III refusing to allow the surrender of a batch of imprisoned clerks to the Chancellor, and requiring
be made to the Bishop or his Official\(^1\). So long as the
of Lincoln was filled by Robert Grossetête—the most
known that the infant University had yet pro-
—almost unbroken harmony prevailed between the
ersity and the Diocesan. The University was en-
gaged and protected by the Bishop, who addressed to
Masters truly paternal admonitions as to the method of
studies, which seem to have been received in the spirit
ich they were given\(^2\). It was not till the accession of
successor, Henry of Lexington, in 1254, that the first
ements broke out. It was possibly in consequence
his Bishop’s interferences with the liberties of the
ersity that the Masters in that year procured from
cent IV the confirmation of their Statutes. At the
time the Bishops of London and Salisbury were
inted Conservators of the ‘rights, liberties, and
ities of the University\(^3\).’ This provision did not,
er (like the corresponding arrangement at Paris),
ally affect the development of the University. The
iction which at Paris was entrusted to the Apostolic
ator was at Oxford exercised by the Chancellor
l. It was only against the Bishop of the diocese,
could not well be excommunicated by his own Chan-
r, that the University required external Conservators,
it would be difficult to produce an instance of the
ise of these powers by the Papal Conservators. No
Court of Conservation ever sat at Oxford\(^4\).

\(^1\) Fam de Marisco, *Ep. 110
Francisc. I.*, p. 115. The reason
is that the offences might be
se to require ‘deposition’ or
ation.’ This power the
llor appears never to have
ed, even in the height of his
ance. Yet after 1269 it would
that no one else except the
could have legally passed such
ence. The punishment was,
er, one which ‘except in case
y was almost as unknown:
Church and State.

\(^2\) *Epistola*, No. 123 (ed. Luard,
p. 346).

\(^3\) *Mun. Acad.* pp. 27, 29 It is
sirable that the liberties of
ersity are recognized as in
part resulting from the concession of
the Bishop. Cf. ‘libertates et im-
munitates ab *Episcopis*, Regibus,
Magnatibus et alis Christi fidelibus
rite concessas.’

\(^4\) There is, indeed, a letter in the
University Letter-Book, *F. l. 98:*
The dispute with Bishop Lexington went on till 1257, when a peace was arranged before the King in Parliament at S. Alban's. What were the terms of the arrangement is not known, but from an incident which occurred in the following year it would appear that the Bishop objected to all manifestations of autonomy on the part of the University. The real question was whether the University of Oxford should be governed by itself or by the Bishop. It will be remembered that it was but very recently that the University had begun to reduce its unwritten customs to written Statutes, and the opposition which it encountered from Lexington was nearly as decided as that which the Masters of Paris experienced at the hands of the Chapter and Chancellor at a precisely similar stage in their constitutional development some forty years before. The Masters had passed a Statute denouncing the penalty of suspension from Regency (which was to be inflicted not by the Chancellor but by the Proctors) for non-attendance at Congregation. As the Masters lectured by virtue of the Licence which the Chancellor bestowed as the Bishop's representative, the Bishop regarded the new Statute as an infringement of his prerogatives. The Chancellor, though theoretically the Bishop's officer, was already completely identified with the interests of the University, and had expressly assented to the Statute. But the Archdeacon of Derby (perhaps as the Bishop's Official) entered a protest on behalf of the Diocesan. It does not appear, however, that anything came of it beyond a formal acknowledgment on the part of the University that they did not intend by their Statutes

Twyne, VII. f. 91) calling upon the Bishop of London to act as 'nostre Universitatisa conservator specials' (i.e. circa 1411).

1 Mat. Paris, Chron. Maj. vol. V. p. 648. It was on this occasion that the historian, pleading for the University with the King, used the celebrated expression about Oxford being 'the second school of the Church'—'Universitas enim Parisiensis, tota ruinam patiatur.'
rejudice the said Bishop or his successors or the H of Lincoln. Originally, as has been said, the Chancellor's right to the surrender of imprisoned scholars was shared by the Archdeacon and the ordinary Official of the p. The Bishop was at any moment entitled to superintend the authority of the Chancellor, and there was of course an appeal from him to the Bishop. The later Royal jurisdiction over courts of privilege were, however, made in favour of the Chancellor's Court only: and the Chancellor thus obtained exclusive right to demand the surrender of scholars in cases to which his jurisdiction extended, i.e. all except treason and mayhem or (later) felony. In those cases the surrender was presumably made to the Bishop, but only after remand at Assizes, and the clerk was punished, or more often escaped punishment, in the same way as other clerks. Independent jurisdiction conferred upon the Chancellor excessive extensions of Royal privilege, combined with the unique character of the office, the vague and mysterious quality supposed to reside in the University, the facility with which the Middle Ages the custom of a decade or so was held to establish inalienable rights, combined to the Chancellor practically independent of the distant see from whom he derived his commission, even before the Growth of Chancellor's powers under Bishop Gravesend and Archbishop Peckham.

the episcopate of Lexington's successor, Richard avesend (1258–1279). We hear little of any conflict between the Bishop and the University, and during the time of this peaceable prelate it would seem that the University managed to effect considerable inroads on the episcopal prerogatives. In the last year of this Episcopate, Archbishop Peckham and his comprovincials as-

---

* The favourite residence of the Bishops of Lincoln was at Bugden or Buckden in Huntingdonshire, some sixty miles from Oxford.
CHAP. XII, sembled in Council at Reading solemnly confirmed the privileges of the University and provided for the effective exercise of the Chancellor’s power of excommunication by enjoining that his sentences should be duly executed in any diocese to which the offender might have escaped and denouncing a penalty of three years’ sequestration against benefited disturbers of the University’s peace.

The next bishop, Oliver Sutton, from the moment of his accession became involved in a dispute with the University. In the year 1280 we find Congregation solemnly swearing to maintain against the Bishop the four following rights as based on custom ‘from time out of mind’:—(1) That a scholar might cite a lay defendant before the Chancellor; 
(2) That the probate of scholars’ wills belonged to the Chancellor; 
(3) That the right of ‘inquisition’ into the moral delinquencies of scholars belonged to the Chancellor; 
(4) That no Master could be compelled to plead in any Court but the Chancellor’s in respect of contracts entered into within the University. In the following year we find the Chancellor, Proctors, and other Masters summoned to Buckden to answer before the Bishop for their ‘contempt’ in resisting his visitatorial power, and a batch of other Masters and scholars summoned to answer charges of

1 *Mun. Acad.* p. 39. The original with the seals of the Archbishop and his Comprovincials is in Archives, Pyx I. (W. P.) 2 but some of those mentioned in *Mun. Acad.* p. 41 are wanting and were never there). It should be added that the decree distinctly recognizes the University itself as sharing the Chancellor’s right of Excommunication: ‘sententias per Cancellarium vel iudices inferiores deputatos ab eo vel per Cancellarium ipsum una cum tota universitate quandoque regencium, quandoque solorum regencium, quandoque regencium et non-regencium,’ &c.

2 The excommunication (renewed by Dalderby in 1314) against those who make or introduce Statutes or customs ‘que magis proprie abusiones et abominationes dicuntur’ against the rights of his see, probably belongs to this period. *Reg. Dalderby*, f. 265 (Twyne, VII. f. 376 8:).

3 At this time the Chancellor certainly possessed such jurisdiction by Royal privilege in civil matters (see above, pp. 394, 398; it might be disputed how far it extended to spiritual cases.

4 ‘Et procuratores’ is found in the Proctors’ books but is erased and then written over in the Chancellor’s book. If it is genuine, the usurpation is the more remarkable as the Proctors had certainly never been entrusted with spiritual jurisdiction.
incontinence which had been brought against them at the recent Visitation. The Chancellor and Proctors pleaded that a general commission had been given to the Chancellor by the Bishop's predecessor, and that by long custom the jurisdiction in such cases belonged to the Bishop only 'in defect of the Chancellor' or by way of appeal in the last resort, after appeal had been made in vain to the Congregation of the University. Of this appellate jurisdiction in spiritual cases claimed by the University I shall have something to say hereafter: at present it may be noted that, though apparently recognized by the Bishops at Reading, it rested originally upon no legal or canonical basis whatever, and is one of the most astonishing instances in history of the success of barefaced assertion and bold usurpation. The question was at length brought before a provincial Synod or Convocation, when the Archbishop and his colleagues warmly took the part of the University, and the Bishop was compelled to concede all that the University wanted, with a barren protest that he did it as an act of pure and voluntary grace. From this time forward the Chancellor's jurisdiction was practically exclusive of the Bishop's in all ordinary cases.

1 The University alleged that 'correctiones huiusmodi non nisi in defectu Cancellarii et universitatis iuxta gradus et ordinem per viam appellationis in causarum cognicionibus observatum ad cognitionem episcopi pertinentem.' Original in Archives, I. (W. P.) 5 Twyne, I. pp 65-6, XVII. p. 418.

2 A Synodal Constitution of the Bishop giving a general confirmation of privileges was made in Aug. 1280, original lost; Twyne, VII. p. 366. A 'Compositio' leaving the visitation of Masters and Scholars to the University by special favour, is dated A.D. 1281. 'Original in Archives, I. (W. P.) 5'. The Council of Bishops there referred to will probably be the Convocation at Lambeth in 1280 (Wilkins, II. p. 42). Of course there remained extraordinary exerions of the episcopal jurisdiction which the Chancellor did not claim, such as the power of Indict, Depredation, or Degradation. There remained also a doubt as to the relations between the Chancellor and the Archdeacon of Oxford, which culminated in a suit between the University and Cardinal de Mota, Archdeacon of Oxford, in consequence of the extortions and encroachments of the Officials to whom the absentee Archdeacon had farmed out the Archdeaconry. It appears that the dispute related chiefly to (1) jurisdiction over clergy benefited or serving Churches in Oxford, (2) privileged persons other
Oxford.

Chap. XII, last Bishop who seriously attempted to interfere with the ordinary course of appeal from the Chancellor’s Court to the Regent Congregation and thence to the full Congregation of Regents and Non-regents. There remained the right of appeal to the Bishop, though even that would appear to have fallen into practical desuetude before it was formally abrogated. Formal assertions of the Bishop’s ancient rights continued to be made from time to time, but by the beginning of the fourteenth century the University had practically become the stronger power of the two.

than scholars and the probate of their wills. The controversy, which began before 1325, was settled by consent in 1345, when it was decided that the Chancellor alone had archidiaconal jurisdiction over scholars except those serving Oxford cures) as well as over a limited number of privileged tradesmen, except in respect of the probate of wills of writers. Over scholars serving parochial Churches the Archdeacon retained his jurisdiction in respect of the fabric, goods and services of the Church, but without prejudice (apparently) to the Chancellor’s general power of correction. 

The Bishop appended to his confirmation a protest against a number of usurpations on the part of the Masters, especially their claim ‘se non posse aliquo modo trahit coram Episcopo extra municipium Oxon. si de ipsis querelae deponeretur uel ecciam ab ipsis appellaretur Episcopus, quoque non posset admissi appellatio interposita ad Episcopum a Cancellario nisi servaretur gradus appellando primo a Cancellario ad universitatem regencium et secundo regencium et non-regencium.’ Insec. Reg. (Sutton, f. 3). The Commission was granted ‘donec aliud vobis super hoc derimus in mandatis.’ Again in 1391 the Bishop raises technical objections before he would consent to confirm the Chancellor ‘de gracia speciali,’ and declares that the University ‘reverti ad antiquam stulticiam suam’ (Reg. f. 50, 51). In 1397 he grumbles at the University speaking of their electing instead of nominating a Chancellor (Reg. f. 178 b). In 1314 Bishop Daldry drew up a letter against those who infringed the Episcopal rights in the University of Oxford by their ‘illicit confederacies and mutual conspiracies,’ ‘sed non fuit istallitiera executa’ (Reg. f. 260). He renewed, however, Sutton’s excommunication against those who made Statutes to the prejudice of his See (Reg. f. 264 b), and fulminated ‘contra usurpantes iurisdictionem in universitate Oxon. Cancellaria vacante’ (Reg. f. 265 b). Bishop Beck in 1343 also objects to the term ‘election,’ and confirms ‘de gracia speciali’ (Reg. f. 88 b).

In 1264 it is still necessary for the Archbishop to write to the Bishop of Lincoln on behalf of the
England the archiepiscopal jurisdiction was a very considerable reality. The Archbishop claimed and exercised general power of hearing in the first instance or calling up his Court cases from all parts of his province without going for the decision of the diocesan judge. Metropolitical Visitations, during which the whole authority of Bishop was suspended, were of not infrequent occurrence. Two very important Visitations of the University: held in the course of the thirteenth century, by wardby in 1276 and by Peckham in 1284. Although first-mentioned prelate was himself a Dominican who graduated both at Paris and at Oxford, the main...
Disputes as to Chancellor's confirmation.

Confirmation by the Archbishop.

Chap. XII, Bishop and the University related mainly to the formalities to be observed on the presentation of a new Chancellor to the Bishop. Already in Sutton's time the question had been raised whether the Chancellor-elect was bound to appear in person to seek for confirmation. In 1288 the dispute led to a long cessation. In 1290 the King compelled the newly-elected Chancellor to appear in person, but the Bishop agreed that in future confirmation might be sued for by proxy if the Bishop were not within a reasonable distance of Oxford. Under Sutton's successor the question was raised in 1300 at the confirmation of Cobham, afterwards Bishop of Worcester, and founder of the first University Library at Oxford. Bishop Dalderby asked the University's proctor why the Chancellor-elect did not appear in person, and objected to the terms of the University's letter, which described the choice of a Chancellor as an 'election,' whereas the Bishop held it to be a mere 'nomination.' The Bishop, however, eventually granted the commission 'of special favour,' without insisting on Cobham's personal appearance, on the ground that the Chancellor was a relation of the Archbishop of Canterbury.

The controversy smouldered till the year 1350, when Bishop Gynwell vexatiously delayed the Chancellor's confirmation. The University appealed to Archbishop Islip, who, upon the Bishop's refusing to obey his monition to proceed with it, himself issued a commission for the confirmation. An appeal to the Pope followed, which ended in a decision recognizing the Bishop's right to confirm in the first instance, but establishing the Archbishop's right to do so in default of the Bishop of Lincoln. By this

2 Annales Monastici, vol. IV. (Oseney,' p. 324; Rot. Parl. I. p. 16, where the Bishop pleads 'quod Commissio illa est de pura et libera voluntate sua.' Mr. Lyte, p. 127: appears to confound the settlement by the King of the dispute which arose in 1288 with the Parliamentary settlement of 1300. Cf. also Reg. Sutton, f. 117 (Twyne, XII. p. 7).
3 Reg. Dalderby, f. 54, 6 (Twyne, II. p. 4; XII. p. 13).
4 In the course of this dispute the Archbishop laid Banbury, where the Bishop was then residing (including his own Chapel), under an Interdict.
decision the confirmation was obviously reduced to a mere formality, and eventually seems to have disappeared in practice even before it was dispensed with by Papal authority in 1368. The University had thrown off the Episcopal yoke. A good illustration of the independence which it now asserted occurs as early as 1322, when it arrogated to itself the right of deposing a Chancellor by its own authority.

It was during this period of academical liberty that Wycliffism grew up, and it can hardly be doubted that the Wycliffite movement was powerfully aided by the practical exemption of the University from direct episcopal control. We are not concerned here with the history of Wycliffism as a religious movement; but it falls strictly within the limits of our subject to notice the extent to which the alienation of the University from the dominant ecclesiastical

whereupon the latter claimed a Papal exemption from all obedience to the See of Canterbury. This privilege, alleged to have been granted by Clement VI. Wilkins, Concilia, II. 751, through inadvertence, was revoked by Innocent VI in 1353. Wilkins, III. p. 29. The other documents are printed in Mun. Acad. p. 168, and more fully by Wilkins, Concilia, III. pp. 3-9: also Lambeth Reg. Islip, 20 a, 27 a-28 b, 35 a; Linc. Reg. Gynwell, f. 21. The Archbishop claimed that the Confirmation had 'devolved' 'ad audientiam suam propter negligentiam dicti domini Episcopi,' the Bishop replying that it was 'extra casum et causas appellationis et negligentiae cuiuscumque,' and the further citation of the Bishop was 'tam directe quam tutorie.'

Wilkins, Concilia III. 75. Yet in 1369 Bp. Buckingham directs the Archdeacon of Oxford's Official to cite Adam Tonesworth for acting without confirmation (Reg. f. 70), but this is the last trace of the confirmation being insisted on which I have found in the Lincoln Registers. The Bull of Urban V in 1368 dispensing with confirmation, does not appear to have been inserted in the Lincoln Register till the time of Bishop Repington (f. 15).

Mun. Acad. p. 107. We have seen that the Bishop had begun to complain of the exercise of spiritual power during a vacancy in the Chancellorship, which suggests that the custom was already establishing itself by which the senior D.D. acted as Cancellarius natus during a vacancy.

The proceedings against Wycliffe in his lifetime were taken under special Apostolic authority. By Rot. Pat. 6 Ric. II, pt. i. m. 32 '1382 A. D.,' the Chancellor and Proctors are appointed 'ad inquisitionem generalis' [ac. 'heretic pravitatis'] 'assistentibus vobis omnibus Theologis universitatis predicte regentibus' (Twayne, VII. p. 43); but, as will be seen, they did not take kindly to the office.
§ 4. OXFORD.

Chap. XII, system was at this time carried, and the boldness with which the University as a corporation ventured on resistance to ecclesiastical authority. In 1377 Wycliffe's doctrines had been condemned by the Pope, in 1382 by the so-called Earthquake Council, and by the Archbishop and his assessors—Bishops, Doctors of Law, and Friar-theologians—at the Blackfriars' Chapter-house in London. Among the doctrines condemned on the last occasion it is sufficient to notice the explicit denial of Transubstantiation and of the medieval doctrine of the Sacrifice of the Mass, the very foundations of the wealth and power of the medieval priesthood, and perhaps the still more alarming assertion that the State might lawfully take away their property from 'habitually delinquent' clergy. There was no period in the history of the University of Paris at which such a manifesto would have attracted the smallest sympathy. At Oxford the utmost efforts of Pope and Archbishop could not prevent an open resistance on the part of a considerable and respectable body of attached adherents. It was apparently in the summer of 1381 that Wycliffe's anti-sacramental theses were publicly maintained: yet on Ascension Day, 1382, his former disciple, Nicolas Hereford, made a violent attack on the Mendicants in a sermon preached in the Churchyard of S. Frideswyde's before the University, boldly asserted his sympathy with Wycliffe, and in his Bidding Prayer omitted the name of the Pope. It was known that Hereford's sermon and his open defence of Wycliffe on other occasions had given offence in high places; yet its author was allowed without opposition to


2 It was with good reason that Walsingham exclaimed when the University hesitated to enforce the Pope's Bull against Wycliffe in 1377 (Wilkins, III. 116), 'Oxoniensium studium Generale quorum gravissimam sapientiam et scientiam culmine decidunt: quod quondam inextricabilis atque dubia toti mundo declarare consuesti, jam ignorantiam abhorsus obfuscatum dubitare non vereatis, qua que meliorem et laici Christianos dubitare non decreta.' Hist. Angl. I. p. 345.
ed as a Doctor of Divinity, and on Corpus Christi of Chap. XII, the same year was again appointed to preach before the University by the Chancellor, Robert Rugge. Before Festival arrived, a mandate from the Archbishop of Canterbury was served upon that official, directing him to issue the condemnation of Wycliffe’s theses in the usual manner by sending the Bedel of Theology round the University halls. The Chancellor, alleging (it is difficult to say what grounds) the exemption of the University from episcopal jurisdiction, flatly refused to comply with injunction. At Corpus Christi the long-expected sermon was delivered, and the preacher boldly defended orthodoxy of Wycliffe’s doctrine of the Eucharist (about nature of which there could in Oxford be not the least doubt) as the true doctrine of the Universal Church. As the Chancellor retired in state from S. Frideswide’s, followed by the whole concourse of Doctors and others, he made a point of waiting for the preacher at the Church door, and walked home with him ‘laughing, great joy came upon the Lollards at such a sermon.’

The Chancellor was subsequently forced to beg pardon of the Archbishop on his knees. It is pleasant to notice he received it on the intercession of the wisest and moderate leader of the prelatic party, the aged statesman William of Wykeham. At the same time the Chancellor assented that he dared not, for terror of his life, publish the emnuation of Wycliffe in Oxford. ‘Then is Oxford,’ famed Courtenay, himself once Chancellor of Oxford, University of heresies, if she will not allow orthodoxy to be published.’ And the Archbishop spoke no more than the truth.

was not till a full generation after Wycliffe’s death the subjugation of the University to the ecclesiastical was really effected, or that Wycliffism, notwithstanding

alsingham, Hist. Angl. II. 189; Zasman. pp. 395–301. The sermon is preserved in Bodley No. 240. Cf. T. Arnold in History, No. 546, p. 397. In 1398 the Archbishop attempted to visit Gloucester College, not (as Mr. Lyte assumes, p. 201) the University.

Fasc. Zasman, p. 308.

1 Ib. p. 311.
CHAP. XII. the recantation of its most prominent leaders, ceased to
command a large amount of scarcely veiled sympathy in
Oxford. Archbishop Courtenay, indeed, who imagined that
he had succeeded in completely purging the University of
heresy, even aided it in procuring its culminating privi-
lege. In 1395 Boniface IX\(^1\) granted a Bull exempting
the University from the jurisdiction of all Archbishops,
even legati nati, Bishops, and Ordinaries. Even exempt
persons, such as the Mendicants and Monks of exempt
Monasteries, and exempt cases, such as assaults on clergymen,
which continually sent the clergymen of Paris to seek absolution
from special Papal delegates, were now expressly placed
under the jurisdiction of that most anomalous of dignitaries,
the Chancellor of Oxford. It is not surprising to learn that
the conservative instincts of the Faculty of Law, as well as
the Ultramontane sympathies of the Regulars, had led them to oppose the University's petition for the Bull\(^2\).

Wyclifism. As a matter of fact, however, the University had no sooner
entered upon its greatest theoretical independence than the
period of its greatest practical enslavement began. In
another chapter we shall have to observe how the practical
freedom of which Oxford had enjoyed so large a measure—
freedom from Papal legates and heresy-hunting Bishops and
Dominican Inquisitors—culminated in a great outburst of
free religious thought, of thought free and also fruitful, of
religious activity founded upon and springing out of free
speculation. The University had, as it were, burst the ecclesiastical shell within which the germinal principle

---

\(^1\) Wood clearly shows (I. p. 365) that the Bull must have been granted
by Boniface IX (though at times he
appears unconvinced by his own
reasoning): in spite of which Mr.
Anstey (p. 78) still ascribes it to
Boniface VIII and the year 1300.
The provision as to assaults on clergymen
may be an illustration of the Roman
policy of granting privileges to
authorize acts which they could not
prevent. Assaults on clergymen were
by Canon Law cases Papales; yet
it appears that Bishop Dalderby had
authorized the Chancellor to absolve
in such cases for assaults committed
in Oxford: assailants of clergymen in
the suburbs were to go for absolution
to the Sacrist of Osney. Linc.
Reg. Dalderby, f. 301 b (Twyche, II.
f. 15). There is no trace of any Papal
authorization.

\(^2\) Cotton MSS. (British Museum),
Faustina C. VII. f. 164.
nstitution had long been confined. The ecclesiastical felt that this spoiled and now rebellious daughter of must be put back into the leading-strings to her elder sister, the University of Paris, had long accustomed. I shall have hereafter to dwell more at upon the higher aspects of this crisis in the his-
Oxford. At present we must confine ourselves to the privileges of the University. Throughoutuggle the dominant party among the Seculars was Ycliffe; but the hand of the University was forced Bishops and the King. The zeal of the English and prelates against heresy was greater than their for the letter of the Papal privilege. The Bull of tion had been procured (as we have seen) by the aid tenay, the ex-Chancellor of Oxford. A year later succeeded by Arundel, a much more vigorous of Lollardism than his predecessor. At the Con-
on of 1396 there appeared two bodies of petitioners Privileges renounced in Convocation of 1396. the University of Oxford—one from the Faculty of urge certain grievances against the other Faculties, other from the orthodox minority of the University replain of the continued teaching of Wyclifism in its. The proctor for the University also appeared and a copy of the Papal Bull in bar of the Archbishop’s action. In spite of the Bull, however, the Archbishop, ting to doubt its authenticity, announced that he after the Convocation, take measures for the redress alleged grievances, and compelled the proctor to ace the privilege there and then in his presence. It
Chap. XII,

§ 4.

is remarkable how light orthodox ecclesiastics will make of ecclesiastical authority when the supposed interests of orthodoxy are at stake.

The University was not likely to consider itself bound by a renunciation made behind its back by a proctor not specially commissioned for the purpose. Accordingly the Archbishop procured a Royal writ peremptorily requiring the University to renounce its 'unwonted and unheard of exemption,' and another declaring the right of Visitation to belong solely to the Archbishop of Canterbury.

A political impeachment for the present put a check upon the Archbishop's proceedings, and the Oxford Masters were left undisturbed for some years. At length in 1408 a Synod was held in Oxford, and in the ensuing Convocation of Canterbury a number of constitutions were issued against the teaching of Wycliffism in the Schools or elsewhere, and directing a monthly inquisition into the orthodoxy of the scholars in each College or Hall by the Head or Principal. These constitutions for the first time introduced a censorship of the press, or rather of the pen, into the University. No book written in the time of John Wycliffe was to be lectured upon till it had been licensed both by the University or its delegates and by the Archbishop, and the stationers were forbidden to copy and sell books not so licensed. On this occasion no open resistance was offered by the University, though it is likely enough that the constitution remained very much of a dead letter. In 1409, however, the Convocation of Canterbury called upon the University itself to condemn the heresies of Wycliffe. But when the proposal to appoint delegates for the purpose came before the Great Congregation, it was rejected by a majority of the Faculties.

Even after the twelve delegates were appointed (not before 1410), John Byrche submitted a resolution to a Great

1 Rot. Pat. 20 Ric. II, pt. 3. mm. 32. 9. Harc, Mem. f. 93 b.
2 Wilkins, III. 314-319.
3 It appears that the Constitutions in Wilkins III. p. 314 were published both at Oxford and in the Convocation at S. Paul's: the exact date seems to be uncertain.
regation rescinding the appointment and suspending further proceedings against the heretics. As Proctor, the same John Byrche declared the motion carried. The sceller hastily dissolved the Congregation: and was wards forced into resignation. But the Proctors called an congregation of Regents at which they appointed a per of 'sufficiently suspected' persons as the judges resy. Eventually even this 'suspected' board were well to condemn the incriminated Articles or some them; and the 267 propositions were duly burnt at £x 1.

is evident, however, that a majority of the University sympathized with Lollardism, or at least cared more their academical privileges than for the suppression of y; and in 1411 the Archbishop, in spite of the Papal option, cited the University to appear before him as or in S. Mary's. This brought matters to a head. Chancellor, Richard Courtenay, and the Proctors, the chief authority for these sections is Cotton MS. Faustina, f. 133 (described by Wood as a Register: if so it be largely interspersed with comments) and the record of Archbishop's Visitations in the Coll. Treasury. See also, Concilia, III. pp. 322-330; Arundel, pt II. ff. 126, 127 e MSS. XXIV. p. 128). It is able to pretend to chron-exactness in reproducing the of this troubled year. Wilkins (339) places the actual con- A tion of the Articles in 1412. Convocation which began 1411 there are still complaints rampant heresy of Oxford and prisonment of those who app-to the Holy See, which makes able the condemnation of already taken place. A 1: in the report of this Convocation bearing on the celebrated testimonial alleged to have been given by the University in this year in favour of Wycliffe and produced in defence of Hus at Prague, seems to have escaped observation: 'Quasdam etiam literas falsitas, testimonium perhibentes in defensionembrigarum, heresim, et errorum, sigillo com- muni universitas, inconsultis magistris et doctoribus, clam sigillant, ad regna et loca extranea transmit- tunt' (Wilkins, III. p. 336). The persons referred to are the 'gerentes officia' of the University: this seems to make it certain that the testimonial was actually sealed with the real University seal by the University officials whether regularly or ir-regularly. As it was customary for the Regents to grant themselves a general leave to have what testimonials they required passed under the University seal (Register Aa, passim), the testimonial was even less than most testimonials an indication of the deliberate opinion of the testimonialists.
Benedict Brent and John Byrche (their names deserve to be recorded) positively refused to allow the Archbishop to enter Oxford as Visitor; S. Mary's was fortified against him. The scholars appeared in the streets armed with bows and arrows, and showed themselves quite prepared to use them against the Primate and his retinue should the attempt be persisted in. When the town was laid under an Interdict, John Byrche broke open the doors of S. Mary's and said Mass as usual. Eventually the Archbishop judged it prudent to beat a retreat, after arriving at an understanding that the matter should be referred to the King. To the King accordingly the Archbishop wrote to explain 'with what insolency he had been received by a company of boys.' The King's wrath fell heavily on the Masters. The Chancellor and Proctors were sent for to London and required to resign their offices into the King's hands. The University decreed a Cessation, and an animated correspondence followed between the King and the University. When required to elect a new Chancellor and Proctors, the Masters had the spirit to re-elect the old ones: and, by the mediation of Henry, Prince of Wales, these champions of privilege were at last allowed to retain their offices. Meanwhile measures were taken to deprive the University of what had hitherto been their unquestionable plea of legality. The Bull of Boniface IX was revoked by John XXIII, in November, 1411; in the same month

1 Lambeth Register (Arundel, f. 91 b.; Capgrave, Chron. of England (ed. Hingeston), p. 299. It is charged against two fellows of Oriel that they 'fuerunt consentientes ... castellationi ecclesie beate Virginis contra suum pastorem Archiepiscopum visitantem et stante interdictione,' &c. Oriel Register.

8 Cotton, MS. Faustina, C. VII f. 137 sq. (Twyne, II. fol. 205 sq.) Cf also Wood, Fasti in Annals, p. 39. The statement in Wood that the young men who had resisted the Archbishop 'were as truants corrected by the rod and ferula' (followed by Lyte, pp. 294-5) appears to be founded upon a misunderstanding of the King's letter. The University had pleaded that the disturbers of the peace 'sub everta virgis et ferulis,' i.e. were mere boys; whereupon the Archbishop recommends that 'trutannos tales quoscumque virgis acrioribus et ferulis subdendos esse'; but it does not appear that the suggestion was or was meant to be literally complied
the University submitted itself unreservedly to the Arch-
bishop, and in the Parliament held at the close of the year the Archbishop’s right of Visitation was solemnly asserted. This constitutional struggle had been, it should be added, merely the formal side of a contest the real object of which was the suppression of Lollardy—in other words, the suppression of free speech and thought—in the schools and pulpits of Oxford. The issue of the struggle practically closes the history of Lollardism as a recognized force in English politics, and with it the intellectual history of medieval Oxford.

We must not, indeed, suppose that all the scholars or all the Masters who took part in the resistance to the Archbishop were moved by pure zeal either for freedom of speculation or for evangelical truth. On the side of Wycliffe were enlisted not only the religious zeal of the Lollard, but the local patriotism of the North-countryman, the chronic antipathy of the secular scholar to the Friars, the antipathy of the Realist to the Nominalist, the antipathy of the Artist to the higher Faculties, and also the academic pride of loyal Oxonians. Attachment to corporate privilege and tradition amounted in the Middle Ages to a passion which can hardly be understood in modern times, except, indeed, from the experience of life in an English Public School. And, if any reliance whatever is to be placed upon the statements contained in the record of the Archbishop’s Visitation at Oriel, a good deal of pure ruffianism must have been called in to the support of what might possibly be called the Protestant party. Three Fellows of Oriel who were accused of being aiders and abettors of John Byrche (himself an Oriel man) are further charged with habitual night-walking (*noctivagio*), spending their days and nights in taverns, breaking into College at unreasonable hours, introducing armed men within its walls, knocking up the Provost at 10 p.m., calling him **Eccentric Fellows of Oriel.**

---

with. Cf. Correspondence of Bekyn-

1 Reg. Arundel, pt. 2, f. 90 sq. (Twyne, VII. f. 59; XXIV. p. 121).  
2 Rot. Parl. III. p. 651; Griffiths, En-

a liar and challenging him to fight, and finally with taking part in a great onslaught upon the Chancellor's house on the vigil of S. Peter, in which a scholar of Law was killed. On another occasion also one of the accused Fellows had collected an 'army of night-walkers' and headed a riot in which many were slain.

The reader must judge for himself as to the exact amount of credence to be attached to such accusations. It is certain that charges of personal immorality are generally forthcoming when orthodoxy demands that the character of a heretic shall be blackened. On the other hand it is equally clear that during some months of the year 1411 Oxford was a scene of the wildest disorder: and clerks of the character indicated by these accusations were no doubt to be found among the Archbishop's assailants. From the record in the Oriel Treasury we gather that the Visitation was eventually carried out by the Archbishop's Commissary. Some at least of the Colleges were visited individually. Obstinate Lollards were deprived of their Fellowships; the rest were compelled individually to abjure the condemned propositions.

So utterly crushed was the spirit of the once proud University that in 1413 it seems tamely to have submitted to a Visitation quoad hereticam pravitatem by its Diocesan, Bishop Repingdon, though the Papal Bull established the authority of the Archbishop only. The ardent

1 'Vocando ipsum falsum dicendo quod mentiebatur in caput ejus, indicans eum ut surget et exiret ad pugnandum secum.' (Doc. at Oriel.) I have combined in the above paragraph charges some of which were only made against one or two of the Fellows.

2 Linc. Reg. Repingdon, f. 136 (Twyne, II. f. 13 sq.). It is not certain that the Visitation was actually held, but the University submitted so far as to despatch to the Bishop a list of resident graduates. Besides the Chancellor and Proctors, there were nine Doctors of Theology (only three seculars), one of Decrees, four D.C.L.'s, one M.D., ten B.D.'s, twelve Regent M.A.'s, eighteen Non-regents, four Bachelors of Law. The numbers testify to the depletion of the University, but it is likely that the list is incomplete, since but six M.A.'s are mentioned as Fellows of Colleges: there must certainly have been more. Possibly the Visitation took place in Vacation. In 1458 the University refuses to accept the Bishop of Lincoln, who had been appointed arbitrator by the
among the Masters were either intimidated or into submission, though an under-current of rdism may have flowed on to the very eve of the nation. So submissive had the University become slesiastical tutelage that in 1479 she was allowed to a Bull from Sixtus IV, legally restoring her prouction from all English ecclesiastical authority. In the office of Chancellor received its last accession of y, the privilege of licensing (with the Theological ty) preachers to preach in every diocese in England—vilege which, though obsolete, the University still s—and that of conferring minor orders.

omalous as was the spiritual jurisdiction wielded by hancellor, still more extraordinary was the appellate ial of the University. The system of appeal from the or’s Court first to the Faculty of Arts and then to the University, which was in force at Paris, was copied ard in complete disregard of the entirely different and character of the two tribunals. The appeal was from the Hebdomadarius, i.e. the Bachelor of Law uent every week to hear minor cases (if the hearing been before him), to the Chancellor in person or his nissary, then to the Congregation of Regents, finally Great Congregation. The appeals were heard then modern times by delegates of the two Assemblies;

on the ground that to do so involve an infringement of its s. Archives, AA. f. 115 a, VII. f. 130 b.

ated by Wood, I. p. 63a. It gives the Chancellor the power olving for perjury, which, r. he had probably exercised t Papal authorization. The sity had before this resumed independent attitude. In imprisioned four Bachelors of or serving an Inhibition e Arches Court. Archives,


8 Mun. Acad. p. 735 sq. These appeals have just been abolished. See below, App. XXXII.

4 Mun. Acad. p. 69 sq. The system seems to be sanctioned by Abp. Winchelsey in 1295, since he directs the enforcement of sentences ‘per Cancellarium Universitatis ejusdem una cum tota universitate’ whether of Regents or Regents and Non- regents (Lambeth Reg. Winchelsey, f. 171 b). The mode of expression seems to indicate that it was felt to be necessary that even the sentences reversing his own judgments should somehow emanate from the Chancellor’s authority.
the necessity for the representation of all Faculties on the
board of 'delegates of appeals in Convocation' marks the
antiquity of an institution which has only just disappeared
from our midst. A system of fines, increasing with the
wealth of the appellant and the number of courts through
which the appeal was carried, had to be devised to check
the tendency to a frivolous prolongation of litigation.
The appellate procedure was exactly the same in spiritual
as in criminal and civil causes. And thus it happened that
the decision of the most purely spiritual causes—subject
indeed, where the King thought fit to permit, to Papal
revision—in the case of Priests or even Bishops who might
be studying in Oxford, belonged to a co-opting popular
assembly, many of whose members, though not in the
medieval sense laymen, were not in orders at all. And
this jurisdiction, though ultimately sanctioned by Papal
authority, was in the first instance acquired simply by
usurpation, based as we have seen on nothing but a false
analogy.

The mere accident that the Chancellor's deputy has
usually been in Priest's orders disguises the singular fact
that since the Reformation a spiritual jurisdiction as com-
plete as that exercised by their medieval predecessors
has been vested in the lay Chancellors of Oxford and
Cambridge and in Assemblies of their lay graduates. Up
till a recent period the representative of the lay Chancellor
of Cambridge was in the habit of solemnly absolving from
the guilt of perjury and restoring to the sacraments of the
Church persons who had committed unavoidable breaches
of the Statutes to which they had sworn obedience 1. There
is a touch of historic irony in the fact that the leader of
a party whose members have gone to prison rather than
disuse a vestment in obedience to a lay tribunal should

1 The formula ran as follows:
'Authoritate nobis commissa' († by
Pope Martin V, or by the Sovereign),
'nos absolvimus vos ab omni levi
negligentia, foris faciuntione seu trans-
gressione statutorum privilegiorum
et consuetudinem et Deo et sacra-
mentis ecclesiae vos restituiimus. In
nomine Patris et Filii et Spiritus
Sancti. Amen.' (Peacock, Obser-
vations on the Statutes, p. 17).
THE UNIVERSITY AND THE CHURCH. 439

have acknowledged the spiritual validity of the censures Chap. XII., of a Court which derived its authority from a lay Chancellor by citing his opponent before it on a charge of heresy—an authority whose ultimate source must be supposed to be either the Roman Bishop or the English Sovereign.

An important change in the character of the Chancellor's office, which began in the fifteenth century, now demands a moment's attention. The election to the Chancellorship was originally biennial, and the Chancellor was of course—as has been implied throughout—the resident Head of the University. In the fourteenth century, however, re-election was not infrequent, and, in the one instance of a Chancellor called directly from the University to hold the Great Seal of England, he was invited to retain his University office as a non-resident. In the course of the fifteenth century the Chancellors at both Universities gradually became practically permanent and habitually non-resident. In this way Russell, Bishop of Lincoln (1484), succeeded as Chancellor in getting into his hands that control over Oxford which his predecessors had struggled in vain to retain in right of their See. The change in the position of the Chancellor was however no mere accident. In spite of formal Papal exemptions, the Universities were more and more passing under the control of a Court at once more despotic and more ecclesiastically minded, and of a hierarchy more courtly, than of old. It became a matter of importance to the University to have a protector at Court and for the Court to have a trusted agent for the coercion of the University. From this time the Chancellorship—once the symbol and the organ of academic autonomy—became practically the instrument of its subjection to an autocratic Court and an Erastian prelacy. It may be added that at

---

1 In the case of Pusey and others v. Jowett, 1863.
3 Robert de Stratford, who became Bishop of Chichester and Lord Chancellor in 1337.
4 Yet as late as 1494 the University had the independence to elect Morton in preference to either of the two Bishops suggested by the Crown. Letter-book, F. 176 sq. (The King's letter may have arrived too late, but the University had been ordered to await the royal pleasure.)
CHAP. XII, the present day the Chancellorship has passed into a merely honorary office; but at Oxford the Chancellor still appoints the Vice-Chancellor, though pledged by usage to appoint the Heads of Houses in order of seniority. It is a singular fact that this right in its present form is due to a very recent usurpation. The Duke of Wellington was the first Chancellor who dispensed with the formality of asking confirmation of his nominee by Convocation. It is to be regretted that the University should so tamely have submitted to so gross an infraction of her ancient liberties.

§ 5. THE STUDIES OF OXFORD.

The system of study and graduation pursued at Oxford is so largely formed on the Parisian model that it will be unnecessary to do more than notice the few points upon which they differ. We are unable at Oxford to trace the gradual growth or modification of the educational curriculum even with that approach to completeness which has been possible in the case of Paris. Most of what follows must be taken to represent the system in vogue in the fifteenth century. If the records of both Universities had come down to us in greater fulness, some of the points of apparent difference, small as they are, would possibly disappear: as it is, our knowledge only becomes ample at a period when the intercourse between them was much less frequent and intimate than was the case in the thirteenth century. Still, where no difference is noticed, it may be taken that so far as our knowledge goes the system was alike in the two Universities as regards their main outlines: details—the exact number of disputation required for a degree, the period at which they were performed, and so on—were of course frequently changed even in the same University.

1 A division was taken on the appointment of Dr. Symons, Warden of Wadham, in 1844. In 1845 a division was challenged, but the Vice-Chancellor took no notice of the opposition. The consent of Convocation is still asked for, but no 'placetne vobis' follows. The nineteenth century has thus revived the arbitrary practice introduced by the Earl of Leicester, Chancellor in 1569. Cox, Recollections, pp. 339, 340, 331.
It would have been an almost hopeless task to give a perfectly accurate account of them as they existed at any given moment in the course of our period.

It is a striking illustration of the rapidity with which every development of the Parisian system reproduced itself in Oxford that a few years after the Statute making the Determination compulsory at Paris we find a Statute regulating Determination at Oxford, and treating the exercise as an habitual part of the Arts’ student’s course. The same Statute—belonging to the very year in which ‘Responsions’ are first mentioned at Paris—assumes the existence of a preliminary Responsio de quaestionem in the preceding summer. The nature of these exercises appears to have been precisely the same in the two Universities.

In connexion, however, with the Bachelor’s degree, we encounter the first of the points of contrast which we have to notice:—

(1) We have seen that the Parisian Chancellor had nothing to do with Determination or with the Bachelor’s degree. At Oxford the Chancellor was the head of the University proper, as well as the Bishop’s delegate—in fact (for many purposes) the Parisian Rector and the Parisian Chancellor in one. Accordingly, at Oxford, it was the Chancellor who conferred the Licence to ‘lecture on any book of the Faculty of Arts,’ after which a student was in practice called Bachelor, though he was not considered to have fully taken the degree till his Determination in the following Lent.

1 Mem. Acad. p. 34 sqq. This ‘Ordinance’ is made by the ‘Masters and Bachelors.’

2 Afterwards, apparently, the time was extended to Christmas (or a fortnight after), as at Paris. Ib. p. 242.

3 A minor point of difference is that the Proctors, here the Executive of the whole University, took part in the graduation ceremonies of all Faculties, their chief business being to administer the oaths.

4 Sometimes, but not always, in the fifteenth-century Register (Aa) he is admitted on condition of determining next Lent. At Cambridge the Vice-Chancellor after the Determinations or ‘Second Tripos’ pronounced: ‘Authoritate qua fungimur, decernimus, cremamus, et pronunciamus omnes hujus anni deter-
(2) The word ‘Examination’ had even at Paris a wider sense than it bears in modern times. It included any process of enquiry into the candidate’s fitness, as well as a direct testing of his scholastic attainments. We have seen, however, that at Paris there was always an Examination in the modern sense by the Chancellor and the Faculty or Examiners selected therefrom. If in the superior Faculties this Examination was reduced to a mere formality, that was not the case in the Faculty of Arts, and in all cases there were real Examinations at earlier stages of the candidate’s career. At Oxford it is a curious fact that we have no express evidence of the existence of Examination in the literary sense of the word. For the Inception or Licence the Statutes are silent about the existence of any Examination whatever. When a candidate presented himself before the Chancellor for the Licence in Arts, he had to swear that he had heard certain books, and nine Regent Masters (besides ‘his own’ Master who presented him) were required to testify or ‘depose’ to their ‘knowledge’ of his sufficiency (de scientia), and five others to their ‘belief’ therein (de credulitate) 1. In the Faculty of Theology all the Masters were required to depose de scientia, a single adverse vote being fatal to the degree 2. Whether the Masters had any other means of judging of the candidate’s knowledge and capacity than had been afforded by his performances in the various disputations required for the degree 3, cannot be pronounced with certainty 4. In the

minatores finaliter determinasse, et actualiter esse in Artibus Baccalau-
res.’ Gunning, Ceremonies of the Uni-
versity of Cambridge. Cambridge, 1838.

1 Mus. Acad. p. 424.
2 Ib. pp. 378, 379.
3 At Cambridge we are told that ‘All the Determiners do sit in the new Chapell within the Schools from one o’clock till five upon Mon-
day, Tuesday, Wednesday, and Thursday in the week before Shrove Sunday, abiding the examination of so many Mrs. as will repair for that cause hither. And from three to four all they have a potation of Figs, Resons, and Almonds, Buns and Bear, at the charge of the said De-
terminers, . . . and upon Thursday they be only examined in song and writing’ (Harl. MS. 7037, p. 103 quoted by Abdy Williams, Hist. Account of Degrees in Music, p. 60), —a survival which may suggest the kind of informal Examination which may have taken place in the Middle Ages.

4 Every Bachelor had to dispute
Faculties they undoubtedly had not. In the Chap. XII, of Arts there seems an a priori improbability in assuming Oxford and Cambridge to have been in this or totally unlike all other known Universities. It is practically certain that there can have been no Board of Examiners or Temptators such as existed elsewhere, who formally examined the candidate in subject-matter of his books. Had such Examiners we must have met with some trace of their appointment: the Statutes or Registers: moreover, their existence would have made the interposition of the nine depositors (selected by the candidate) superfluous and une. We can only suppose that each Master who acted by the candidate to depose to his attainments liberty to subject him, whether in private or in union with other depositing Masters, to such Examiners of his books as he thought fit. This supposition is but by the way in which the Examination is spoken of solitary allusion to any such institution which has been to us, though the latitude with which the term ought must not be forgotten. William Wheteley, the 17th Master, in his commentary on the pseudo-

\[\text{De disciplina Scholarium}\] says that a candidate is put from school to school 'before exposing himself to the judgment of the Masters by whose grace and favour he is crowned, that is, to incept and be licensed,' and sose' in each of them.

\[\text{Hole's Life of Adn. Phelps (London, 1871), p. 51 sq.}\]

3. 'De scola unius magistri ad scolas alterius magistri. Antequam incipiat vel se examinationi magistrorum exponat quorum gratia et favore ipse est coronandus, i.e. quorum magistrorum gratia ipse incepturus et licentiandus.' (MS. No. 98 in Exeter College Library.) It further appears that 'magistri examinantes scoiariae qui debent licentiari in artibus debent eos examinare in moribus sicut in scientiis,' which
As to the admission of Bachelors, four Masters (as at Paris) were undoubtedly appointed to conduct the admission of Bachelors to Determination: but it is uncertain whether they supplemented their enquiries into a candidate's attendance at Lectures and so on by questions on the subject-matter of the books taken up. There is no positive evidence that they did; on the other hand, it appears that, just as before the Licence the 'deposition' of nine Masters was necessary, so at Determination nine (afterwards reduced to six) Masters or Bachelors who had already determined, had to depose to the sufficiency of the candidate's attainments. The existence of this 'deposition' may by itself perhaps be held to supply a presumption that there was no literary Examination by the admitting Masters. On the other hand, due weight must be allowed to the intrinsic improbability of the total absence in 'the second School of the Church' of Examinations such as certainly existed everywhere outside England.

(3) We get at Oxford a distinction between determining 'for oneself' and determining 'for others,' which demands a brief explanation. Previous writers have seen in the latter phrase a permission to perform the exercise by deputy. But, though it is not easy precisely to explain the nature of the arrangement, it is abundantly clear that it was the pecuniary expense attendant upon graduation, and not the duty of disputation itself, that was vicariously discharged. This is placed beyond the reach of doubt by the University Register, from which it appears that the only candidates who determined for others were rich and well-born students. Had it been the intellectual part of the performance that was transferable, the poor would have been more likely to determine for the rich than vice versa. When a Neville, or an Audley, or a Courtenay determined, he was allowed to

shows that the Examination was not purely literary, and suggests that the term may imply merely the conference among the Masters in Congregation as to whether his grace should pass (see above, vol. I. p. 461 sq.), but the view I have taken seems to me most probable.

1 In 1367 it is simply 'Magistri vel Bachilarii' (Nun. Acad. p. 55); in 1408 six Masters or three Masters and three Inceptor.
under him a certain number of poor Bachelors, expenses he paid, while the banquet which he
the occasion was no doubt on a scale which was
red to do duty for the whole party.
It is exceedingly important to notice that only the
Masters of the Faculty had any share in advising
an chancellor as to the fitness of a candidate for the

Similarly, in the actual admission to the Master-
he Inception—none but the Regents of the Faculty
art except the Chancellor and the Proctors, who
d in the name of the University to take the oath
by the University on Inceptors in all Faculties.
actual ceremony of Inception—the tradition of the
and the ring, and the imposition of the biretta with
of fellowship—was performed, as at Paris, not by
an chancellor, but by a Regent of the Faculty. Even as
the seventeenth century this ceremony was kept up
annual Act. The Regius Professors of Theology,
aw, and Medicine conducted the Inception in their
ve Faculties: while in the Faculty of Arts it was
red by the Senior Proctor, the ancient Head and
native of that Faculty. At Cambridge some at
the ancient ceremonial of Creation was kept up
or sixty years ago.

no point is the modern constitution of Oxford so
thing as in this matter of the 'conferment of degrees.'

possit... pro aliis deter-
quod possit acceptare sub-
ceptores quot sibi placuerit,
formam et cetera pertinen-
dum compleuerint.' Regis-
80b. Cf. ff. 94 a. Again,
sub se certum numerum
qui tenetur ex statuto dare
et conuiaire regentes'; ib.
the explanation is confirmed
ation of the 'Sub-deter-

r certain circumstances
might 'depose' for Canon-
II (2).


' Item. cum in tractatibus facien-
dis super inceptoribus in theologa
et baccariis pro legendis sententiais
licentiandis omnes et singuli Magis-
tri regentes in illa facultate de usu
more et consuetudine cum Cancel-
lario et procuratoribus debeant si
voluerint interesse, etc.' Collectanea,

Laudian Statutes, ed. Shadwell,
pp. 72-74; Diary of John Evelyn, ed.
Bray, l. p. 390.

See the extracts from Gunning
in Appendix XXVII.
The formula still in use testifies to the fact that the ceremony now commonly called taking a Master's degree is in reality the ancient ceremony of receiving the Chancellor's license to incept: and the Inceptor does not legally become a Master or take his seat in Convocation till the beginning of the following term. But the 'Act'—that is, the ceremony of Inception, at Cambridge called 'the Commencement'—has disappeared from the life, though not from the Calendar, of our Universities. It is true that in this part of the University system, and in this part only, has the now fictitious distinction between Regents and Non-regents been preserved. Only Regents sit in the 'Ancient House of Congregation,' which, for the purposes of the conferment of degrees, has survived the havoc which the seventeenth century and the nineteenth between them have made in the ancient institutions of Oxford. In the requirement that nine Regents shall be present in the House of Congregation for a degree to be conferred we have no doubt a survival of the ancient 'deposition' of nine Masters in the Faculty of Arts. But the distinction of Faculties has been lost; we have the anomaly of Masters of Arts voting on the conferment of superior degrees. And this has tended to obscure the fact that the License was originally conferred by the Chancellor with the advice of the Masters of the respective Faculties, not by the University itself. A modern English Dictionary would probably define a University as a 'body empowered to grant degrees.' This was just what in medieval times the University, properly speaking, did not do. The License came from the Chancellor: the Inception or actual Mastership from the Faculty. Even when all Inceptions at Oxford took place in a full Congregation of the University, the actual Inception was still, as has been said, performed not by the Chancellor, but by a Master of the Faculty.

1 It is true that at Oxford, where the Chancellor was so soon identified with the University and separated from the Bishop, the distinction was early forgotten. The Chancellor conferred degrees 'auctoritate mea et totius Universitatis' (Mum. Acad. p. 383). Notice that at Oxford degrees were never conferred in the name of the Pope.
there was no difference between medieval Paris and medieval Oxford, except that the Proctors—the heads of the Faculty of Arts—figured in the Inceptions of the superior Faculties in a way unknown at Paris. There was one great point of difference, which arose out of the fundamental contrast between the two systems, but which proved in its ultimate results a matter of much more than technical importance. The constitutional peculiarity of Oxford—more remarkable than the position of the Chancellor—is the almost absolute absence of separate Faculty-organization. At Oxford, as we never find at Paris, the University itself compiled every detail of the curriculum and internal discipline of all Faculties. And the regulations which the University alone could dispense. Thus the licentiate who had complied with every minute regulation prescribed for a degree by custom or statute, had in the Middle Ages no need of the 'grace' of Congregation; the moment a dispensation was needed, an application to the Congregation of Regents became necessary. A dispensation originally meant in fact a dispensation. But even in the fifteenth century the neglect of the elaborate and complicated regulations had become so habitual that a dispensation was necessary in the great majority of cases. It is true that in this way a grace eventually came to be asked for at the Congregation, so that at last it was supposed that the assembly of Regents who really conferred the dispensation.

The constitutional principle seems to have been that the dispensation lay with the University, except where it was specifically reserved by Statute to the Convocation. In practice dispensations were granted by the Convocation, but sometimes we find similar dispensations granted by the Congregation. This is beautifully illustrated by the following inscription in a book belonging to the Chancellor of the University of Oxford:—

---

Thomas Gascoigne, and now in the Magd. Coll. Library (No. CIII: "Compleuri formam meam complete in sacra theologiam anno gratiae 1434. Ita quod nullam gracion habui in universitate de aliquo actu, sed tantum de tempore, nam respondi IX uicibus et nunquam censuravi [i.e. always ordinarie], et omnia alia feci debita ex statutis." See also in the Statutes of New College, below, p. 507.)
There is an immense and arbitrary variety in the 'conditions' imposed upon the granting of these 'graces.' Sometimes the condition is the performance of some additional exercise—a responsion, a disputa­tion, a 'variation,' a sermon, a course of lectures, or two or more lectures in place of the Regent Doctor. In other cases (where the dispensation was more extensive or the candidate worth bleeding), a contribution was imposed for the benefit of the 'New Schools,' or the repair of a window in the Convocation-house, or the pavement of S. Mary's. At other times the condition is for the personal benefit of the Regents. The candidate is to feast all the Regents or the Regents actually present on the occasion, or to present them with new gowns, or with knives, 'according to ancient custom,' or to pay the Regent Doctor for the lectures which he has been dispensed from attending. Already in the middle of the fifteenth century the number of these graces is so great that it may almost be said that each case was considered on its own merits. It was assumed that the full requirements of the University could not be practically complied with. When a candidate thought he had studied sufficiently to have earned his degree, he presented his supplicat, stating the number of terms which he had kept, the exercises he had performed, and asking for the degree.

1 'Quod bis variet in Parviso.' Mr. Clark (Register, II. pt. i. p. 21) explains 'in Parviso' as equivalent to 'in parvisis,' i.e. the little things, Logic and Grammar. But we do not find the plural in the fifteenth century, and do find 'in Parvisio': cf. Mun. Acad. p. 242 ('frequentantes . . . Parvisum'). The word 'Parvis' appears to be a corruption of Paradisus, and is used of the Cloister of Notre Dame at Paris, the Palace Yard at Westminster, &c. See Ducange, sub voc. 'Paradisum,' and Somner, Glossarium ad Twysden Decem Scriptores, s. v. 'Triforium.' In Chaucer 'Prologue,' l. 312 we hear of a Serjeant of the law 'that often hadde ybben at the parvis,' which Pulling (Order of the Coif, p. 3) understands of the Parvis of S. Paul's.

2 'Quod semel (or bis or ter) ex­cuset doctorem.' This was only in the case of the higher Faculties. The following facts are from the fifteenth-century Register (Aa) in the Archives.

The same conditions are sometimes imposed on persons seeking 'reconciliation' with the University, e.g. a payment 'pro viso et ostris (oysters) pro Magistri Regentibus.'

A student's 'time' is often made up in a very curious way by count­ing a specified number of long vaca-
was no doubt a certain roughly defined understanding the conditions which were dispensable and those which were not. The candidates for B.A., for instance, usually made to go through the whole course of studies, though the number of terms was sometimes reduced. The attainment of the M.A. degree, on the other hand, was more elastic. In this way it would seem to gradually come about that a 'grace' became necessary in case of all graduates, and was asked for as a matter of course. The process was completed by the Revival of Singing, which created a divorce between the statutable regulations and the actual practice of the University. Old unrepealed Statutes of the University still required any ordinary lectures to be heard on Aristotle in Pool Street; while the real educational work of the place was done in Hall or College lectures—still largely but not exclusively upon Aristotle—which did not satisfy the statute definition of 'ordinary lectures.' Another instance which helped forward the tendency to subsume College for University was the enormous number of 'legible' days which the growing piety or gratitude of the University had introduced into its Calendar. A mere week at the extant Calendar, wherein eleven days in the month of November are holidays so far as the University is concerned, besides Sundays and three days on which only

and many short ones.' Terms of one Faculty are allowed to be substituted for those prescribed by Statute. Many 'graces' are granted as to the number of lectures which will constitute a 'term,' sometimes for a whole batch of candidates, sometimes for individuals. As a rule sixteen 'ordinary' lectures counted as a term kept. At times we find very curious graces enabling candidates to go to an extra lecture or course of lectures 'pro ordinaris minus attente auditis sed non completis studiis termini,' or the like. Such scrupulosity was due to the desire to avoid perjury.
cursory lectures might be given, will make it clear that serious education would have been impossible had not the College Prelectors and Tutors taken upon themselves the burden which the University Regent was becoming more and more eager to shirk, and less and less competent to perform.

And here we may pause to notice how merely constitutional differences have modified the educational organization of different Universities and the culture of different nations during whole generations of men. The practical extinction of all the higher Faculties in the English Universities is partly due to the absence of endowments for University teachers and to the presence of these endowments in the Colleges, enabling them to monopolize that instruction which the Universities themselves were unable to supply. Partly, too, it is accounted for, as regards the legal Faculty, by the non-Roman and unscientific character of English law, and as regards Medicine by the comparatively small size of the University towns. But the suppression of all effective instruction in the higher Faculties was also promoted by the control which, here alone among the Universities of the world, the Regents in Arts,—that is to say, after the decay of University lectures, the youngest Masters,—had acquired over the degrees in the higher Faculties. In other Universities each Faculty regulated the conferment of its own degrees. At Oxford and Cambridge an unlimited power of dispensation was vested in the Regents of all Faculties, the majority of whom of course were Regents in Arts. The extent to which this power was abused, even in the middle of the fifteenth century, was already such as to prepare the way for the

---

1 Mun. Acad. p. cxlix. Besides the legal holidays the Regents were constantly voting themselves 'a day,' i.e. of exemption from all academical duties, or short vacations besides those prescribed by the Calendar, which were roughly identical with the statutable vacations of modern times, except that there was a short vacation at Whitsuntide.

2 Thus we find the Regents frequently dispensing themselves wholesale from a year's study in any Faculty in which they should hereafter proceed, or even at times from the necessity of taking the Bachelor-
suspension of the residence and study required by the statutes for these degrees, while the Professors lacked power or the inclination to convert the remaining exercises into effective tests of competence. The higher degrees continued to be taken almost as much as formerly, formally degrees in Theology. In many cases Colleges bound the Fellows by the most solemn obligation to study and graduate in some superior Faculty, and the act of Doctor has always been more or less in request. mere 'standing' was at last unblushingly treated equivalent to residence and study, and thus at the st day the highest degree which it is in the power of University of Oxford to bestow has come to be the d of eleven years passed in forgetting the minimum knowledge required in the Pass Schools of the Faculties.

When we come to compare the details of the requirements of the two Universities for the various degrees, we find that as a rule the books 'taken up,' the exercises, the 'time' required at Oxford correspond roughly with that of Paris. The most noticeable differences are:

At Oxford the enormous length of the course required (the fourteenth century onwards) at Paris for D.D. considerably reduced.

We observe no such tendency at Oxford towards shortening the Arts course, at all events towards shortening the time required for B.A. At Oxford the tendency was

Gradus scholasticorum et concessionem gratiarum indignis et viciosis et insciis personis in Oxonia, et in aliis Studiis, quae collatio malae graduum scholasticorum non erit destructa, quousque potestas dispensandi cum bonis Statutis retrahatur a Regentibus et a Procuratoribus Universitatis, qui pessimam concedunt pro lucro proveniente eisdem per graduatos et per graduandos per eosdem. 'Loci e libro Veritatem, ed. Rogers, Oxford, 1881, p. 3. Cf. p. 30.
§ 5. Chap. XII, to put the Baccalaureate and Determination late, and to reduce the requirements for M.A. till at last—within the present century—the last relics of residence and of ‘exercises’ after B.A. have finally disappeared.

(c) In the actual curriculum we shall find that there was rather more elasticity than at Paris. The dominion of Aristotle was somewhat less exclusive. Importance was attached to keeping up the theory that a University Arts course included the Trivium and Quadrivium of the earlier Middle Ages, as well as the ‘three Philosophies’ introduced by the rediscovery of Aristotle in the thirteenth century. More importance was attached to Mathematics and Astrology, and more alternatives were offered to the choice of the individual student. The chief requirements for the various degrees may be thus briefly summarized:

Theology.

For Opponency:

For M.A. candidates, four or five years’ study (i.e. apparently to be in the fifth year), presumably divided between the Bible and Sentences, since three years’ auditio of the Bible are required for Inception.

For others, eight years in the study of Arts; six or seven years in Theology.

1 See Cox, Recollections, p. 60.
3 In the fifteenth-century Register (Aa) there are two regular steps or degrees in Theology for which ‘supplicats’ are presented—’Admissio ad opponendum et respondendum,’ and ‘Admissio ad lecturam libri Sententiarum.’ Only the latter seems to confer the style ‘Baccalarius in Theologia,’ though this is not quite clear. A probably fourteenth-century Statute (Mun. Acad. p. 389) requires the fifth year for ‘Opponency’ and the seventh for ‘Responsecy. That being so, I cannot understand the provision ‘quod quilibet ad lecturam libri sententiarii de cetero licentiandus, in admissione sua juret quod postea non opponet in theologiam, publice et in schola, in statu minore quam status Bacularii in eadem’ (Mun. Acad. p. 390; cf. p. 394).
4 At least if the candidate wanted to proceed to B.D. From a University letter (Ep. 60. F. f. 93 a) it appears that ‘Monachi artium scholarum in nostra universitate’ had to pay the collecta to the Regents, but from the ‘graces’ it is clear that the Regulars might keep their time in Arts by study in the Conventual Schools, in Oxford if not elsewhere.
THE STUDIES OF OXFORD.

For B.D. (Admissio ad lecturam libri Sententiarum):

For M.A. candidates, two years more, i.e. seven years in all.
For others, two years more, i.e. eight years in all.
Certain Opponencies, number not specified.

For Licent:

Two years' further study.
To have lectured on one book of the Bible and on the Sentences.
An examinatory Sermon at S. Mary's.
Eight Responsions to non-graduate Opponents.
To dispute (as Opponent) with every Regent D.D.
Vespers.
In the fifteenth century an additional Sermon was added by Statute.

CANON LAW.

For Bachelor of Decrees: (Admissio ad lecturam extraordinarium)

Five years' study of Civil Law.
To have heard the Decretals twice, and the Decretum for two years.

1 In Mun. Acad. p. 391, lectures on both Bible and Sentences are required (cf. Collectanea, II. p. 318). Yet on p. 396 we find 'aliquem librum de canone biblicae vel sententiarum Oxoniæ in scholis theologice publice legant.' In Aa we find that a candidate usually enumerates among his exercises 'introitus Biblie,' as well as 'lectura libri Sententiarii.' We may presume that the Lecture on the Bible had now sunk for the majority of secular candidates to a formal introductory discourse upon a book which was never finished. The real lectures on the Bible which had still to be heard by every candidate were no doubt delivered (as at Paris) by Regulars.

2 Mun. Acad. p. 396, constantly alluded to in Aa as the 'novum statutum.' A candidate sometimes supplicates to be allowed to preach in English at S. Peter's in-the-East, instead of in Latin at S. Mary's. The afternoon sermons in Lent were preached at S. Peter's till 1808. See Cox, Recollections, p. 241 sq.

3 It is impossible to adjust this provision (Mun. Acad. p. 398) with the (1 later) Statute relating to Inception which requires that Inceptors in Canon Law who have not been Regents in Civil Law, 'jura civilia ad minus per triennium, bibilium, quattus legitur in studio, per biennium, decreta per triennium, ac decretales integraliter se jurent audiisse' (ib. p. 399). There is no information as to the standing for the Doctorate except what is contained in this clause.
§ 5. To have read *extraordinarie* two or three 'causes' or the treatises *De Simonia, or De Consecratione, or De Pænitentia* (parts of the *Decretum*).

To have opposed and responded to the questions of every Regent.

To have given one lecture for each Regent.

[After Inception, two years, afterwards one year of Necessa-
Regency.]

**Civil Law.**

For *B.C.L. (Admissio ad lecturam libelli Institutionum)*:

For M.A. candidates, four years' study.

For others, six years' study.

For *License ad legendum aliquod volumen Juris Civilis* (e.g. *Digestum Novum or Infortiatum*).

To have heard the *libri apparatus* of the Civil Law.

For *Inception*:

(No additional time specified).

To have lectured on the Institutes, the *Digestum Novum*, and the *Infortiatum*.

To have given an ordinary Lecture for each Regent Doctor.

To have opposed and responded in the School of each Decretist.

**Medicine.**

For *M.B. (Admissio ad legendum librum Aphorismorum)*:

(No time specified.)


2 Occasionally the Licence is to read some other book of the Civil Law.

3 A Statute found in the Proctors' Books (B and C), not in the Chancellor's (A), and probably later than the above, requires the reading of 'unam collationem, vel unum librum de libris extraordinariis codicis' (*Mun. Acad.* p. 405), but whether in addition to or substitution for the above *volumina*, does not appear.


5 Rarely one of the books mentioned below is substituted. An examination or practice was apparently required for an M.A. to become M.D. Such was the belief in dealing by Aristotle. By a Statute 9 Hen. V, cap. 11 (Rot. Parl. p. 130), the Council is empowered to make regulations for preventing non-graduates practising anywhere in England, but in the death of M.D.'s in England any such regulations must have been futile.
THE STUDIES OF OXFORD.

For admission ‘ad practicandum’ in Oxford:

For M.A. candidates, four years’ study.
To pass an examination conducted by the Regent Doctors.
For others, eight years’ study and examination.

For License and Inception:

For M.A. candidates, six years’ study (in all).
To have ‘read’ one book of Theorica (i.e. the Liber Tigni of Galen, or Aphorismi of Hippocrates), ‘pro majori parte.’
To have ‘read’ one book of Practica (i.e. Regimenta Auctorum of Hippocrates, Liber Februm of Isaac, or the Antidolarium of Nicholas).
To have responded to and opposed in the Schools of the Regents for two years.
For others, to have been admitted to practice, as above: eight years’ study (in all): to have given the above lectures.

ARTS.

For B.A. (Admissio ad lecturam alicuius libri Facultatis Artium):
Four years’ study.

For Determination,* (A) In 1267:
To have been admitted as above and ‘read’ some book of Aristotle.
To have responded de quaestione.
To have heard: (1) The Old Logic, i.e. Porphyry’s Isagoge, the Categoriae and De Interpretatione of Aristotle, the Sex Principia of Gilbert de la Porree, twice; and the Logical works of Boethius (except Topics, bk. iv), once. (2) In the New Logic, Priora Analytica, Topica, Soph. Elenchi, twice; Posteriora Analytica, once:
With either (1) Grammar, i.e. Priscian, De constructionibus, twice; Donatus, Barbarismus, once.
Or (2) Natural Philosophy, i.e. Aristotle, Physica, De Anima, De Generatione et Corruptione Animalium.
To have responded de Sophismatis twice for a year or have heard the Posteriora Analytica twice, instead of once*.

* In Register Aa usually conferred with the M.B.
* Determiners pro alicuius who had not previously determined pro se were required further to have heard the Magnum of Priscian and three books of the Meteorica of Aristotle.
(B) Later (? circa 1408 1):

To have been admitted as above, and ‘read’ some bc Aristotle.
To have disputed for a year as ‘General Sophiste Partiso.
To have responded de questione.
To have heard: Donatus, Barbarismus; Arithmetic (Algor integrorum); the method of finding Easter (Computus asticus); [Joannes de Sacro Bosco], Tractatus de Sp Porphyry, Isagoge; Gilbert de la Portee, Sex Prim Aristotle, Sophistici Elenchi — lectionatim in Colleq Hall.

The Old and New Logic, except the Boethius, Topics, b cursorie from Bachelors in the Public Schools.

For License and Inception:

Three years' additional study 3.
To have been admitted ad lecturam alicujus libri Aris and to have lectured thereon 4.
To have been admitted to determine (?) 5.
To have responded apud Augustinenses, and taken part in a c number of other disputations 6.
To have heard (in addition to the books already read for (Stat. of 1431 7):

1 Mun. Acad. p. 244 sq.
2 'Secundum sufficientem expositionem a Magistro vel Bachillario in collegio aut in aula se lectionatim integre audivisse cum recitatione debite subsecuta, ita tamen quod in primo biennio, quo Scholares fuerint facultatis artium, hujusmodi auditionem lectionarium, ut preeertur, aggredi non presumant' (ib. p. 242). Determiners pro alius were further required to have heard the Posterior Analytics in College or Hall.
3 Mun. Acad. p. 416. Those who have not determined were required to complete eight years.
5 This I infer from the fact that supplicats for Inception alway Determination; but the Statutes do not actually require and it is clear that it was not sary actualy to determine.
6 For details, see Mun. Acad.
7 Mun. Acad. p. 285 sq. The 5 books contain two other 'F (nearly identical) for Inception (Acad. pp. 413-415), which fewer books than the abov assign shorter time for thos eight days for Arithmetic, seems to show that the 'ter signed to a subject was pra a very short course of lectur other 'Forma' is printed in Ap XXIII.
THE STUDIES OF OXFORD.

In the Seven Arts:

Grammar. Priscian 'in majore vel minore.' (One term.)

Rhetoric. The Rhetoric of Aristotle. (Three terms.)
Or the Topics of Boethius, bk. IV.
Or Cicero, Nova Rhetorica.
Or Ovid's Metamorphoses.
Or 'Poetria Virgilii.'

Logic. Aristotle, De Interpretatione. (Three terms.)
Or Boethius, Topics (first three Books).
Or Aristotle, Prior Analytics, or Topics.

Arithmetic. Boethius. (One term.)

Music. Boethius. (One term.)

Geometry. Euclid [? six books].
Or Alhacen. (Two terms.)
Or Vitello, Perspectiva.

Astronomy. (Ptolemy?), Theorica Planitarum. (Two terms.)
Or Ptolemy, Almagesta.

In the Three Philosophies:

Natural. Aristotle, Physica or De caelo et mundo. (Two terms.)
Or De proprietatibus elementorum, or Meteorica,
or De vegetabilibus et plantis, or De Anima,
or De Animalibus, or any of the smaller books.

Per terminum anni, which Mr. Stey is probably wrong in trans-
ing 'for one year,' since in all cases the time is given in

The last three alternatives are

The dawn in Oxford of the Neoclassicism (as distinct from the Greek)
naissance. In 1438 we find a choral characteristically sup-
ing that a lecture upon the Geor-

This is also interesting to note that
in 1433 the Regents debated an
videatur expediens universitati ut
conducantur V Regentes an pau-
ciores ad perficiendum lecturam
Scientiarum per necessarios regentes
non lecturam' (Aa. f. 76 b), but this
proposal to widen the University
course by the foundation of Profes-
sorships seems to have come to

'Aliquem de minutis libris,' i.e.
the Parisian 'Parva naturalia.'

(Three terms.)

Metaphysical. Aristotle, *Metaphysica*. (Two terms.)

We have already noticed the comparative prominence of Mathematics and the two Sciences then most closely associated with Mathematics, i.e. Music and Astronomy or Astrology. In the fifteenth century we find actual degrees given in Music. The candidate for the Doctor’s degree was required to compose a Mass or a Mass and a song (*cantilena*) to be performed at S. Mary’s at the annual Act or general Summer Inception. The Bachelor’s degree was taken by admission to ‘read any book of Music’ or ‘any book of the Music of Boethius.’ This graduation in Music is a peculiarity of the English University system which we have hitherto seen only in certain Spanish Universities. It is probably of late growth and little importance, except as an interesting indication of the growth of Church Music during the one period of its history at which England took the lead in musical progress. The title of Doctor carried with it no rights such as were enjoyed in the case of other Masters or Doctors: the Doctor of Music was, it would appear, academically on a level with the humble Master of Grammar—a title which, at this time, was also conferred after the manner of a ‘degree.’ It does not appear that actual degrees were given in Astronomy, but we have frequent allusions to courses of Astronomy apparently more extended than what was included in the ordinary Arts course, and in the sixteenth century

---

1 Three for candidates who had not determined. It is clear that the majority of M.A.’s had determined, but the lists of Determiners in Aa are somewhat shorter than those of ‘Admissi ad lecturam, &c.,’ or B.A.’s.

2 Registers, *passim*. At Cambridge Musical degrees occur as early as 1463. For a full account of their history see *A Short Historical Account of the Degrees in Music at Oxford and Cambridge*, by Mr. C. F. Abdy Williams (London, 1893), an interesting work which would be the better for the omission of the very uncritical chapter on ‘The Origin of Academical Degrees in general.’

3 Cf. Abdy Williams, *l. c. p. 16.*

4 As to the degree in Grammar see Clark, *Reg. Univ. Oxon.* II. pt. i, pp. 8, 918, and below, p. 599 sqq.

5 e.g. ‘quattuor anni in medicina et astronomia’ (Aa. f. 1216). William
is an instance of a scholar admitted 'to practice in
ology'.

other peculiar institution which we find introduced into
University at the end of the fifteenth century is the
ice of creating Poets Laureate by their actual investi-
with a laurel crown. In some cases the Laureation
is to be combined with a degree in Rhetoric.

e Greek and Hebrew Professorships ordered by the
Concil of Vienne in 1311 were actually founded, or at least
y was collected for the payment of the Professors.

other study which occupied a somewhat anomalous French.
ion was the French language. It was decidedly
ded in the light of an 'extra.' There were, it appears,
in persons who taught and others who learned 'the
of writing and composing and speaking the Gallic
1' as also the art of 'composing charters and other
s,' and of holding lay courts or the English mode of
ling—an indication of the purpose for which French
 demand. But it struck the academic mind as irre-
that there should be students of these subjects when

Bernard Andrew, poet laureate, ed a royal annuity in 1486 on
it of his teaching at Oxford elsewhere. Materials illustrative
ed. Campbell, II. p. 62.
ood. Athenea, I. 16911 p. 22;
it, Annals of Camb. I. p. 241,
et appears that Skelton was a
ate of Cambridge. It appears

that at Cambridge Bachelors of other
Faculties wore floral wreaths at the
Festivities of the Act (Caius, Hist.
Cantbr. p. 122). The custom of
laureating poets perhaps originated
in Italy. We hear of it at Padua in
the fourteenth century (Tomasinus,
De Gymn. Palav., p. 169). There is
a letter of Petrarch (Chartul. Univ.
Paris. T. II. No. 1098) where the
poet declares that he received in-
itations on one and the same day
'ad perciipiam lauream poeti
cam' from Rome and from the Chancellor
of Paris. Only the first invitation
was accepted.

Boase, Register I. p. 299.
Linc. Reg. Burghersh, f. 11 b 'pro
stipendiis cuiusdam conversi catholici
nunc docentis Oxon. linguam Ebra-
icam atque Grecam,' with the signif-
cant addition 'et pro negociis com-
munibus ecclesie,' &c.
CHAP. XII, the University provided no 'ordinary' lectures on them. Accordingly it was provided that such scholars should attend lectures on the subjects which approached most nearly to their own, i.e. Grammar and Rhetoric: while the teachers were required to swear obedience to the Statutes of the University, and at the same time to divide between them a tax of 13s. 4d. to the Masters of Arts by way of compensation for the damage which was inflicted upon them by the withdrawal of pupils from their more regular instructions. Even this very qualified encouragement to the study of a foreign modern language is unparalleled in any other medieval University.

For information as to a great number of details which might naturally find a place in this section, the reader must once again be referred back to the chapter on Paris. The system of University teaching was exactly the same in the two places. In both Universities the teachers were dependent upon their collecta; in both Universities want of adequate support for University teaching, and the youth and inexperience of the 'necessary Regents,' led eventually to the breakdown of University teaching, at least in the Faculty of Arts.

In the fifteenth century some attempt was made at Oxford to supply the deficiency by Humphrey, Duke of Gloucester, who, in 1436, temporarily founded certain Lectureships in the Seven Arts and the Three Philosophies.

---

1 'In recompensam prejudicium per eorum doctrinam Artistis illati.' *Mun. Acad.* p. 303. The same Statute provides that in future the collecta received by the Regents in Arts shall be divided equally between them.

2 The only earlier evidence of anything like an endowment for teachers is in 1275, when Francisculus Accursius, having returned to England with Edward I, was provided with free quarters in the 'King's Manor' at Oxford, i.e. Beaumont Palace. *Rot. Pat. 4 Ed. I, m. 35 (Twyne, II. f. 43 b).*

3 Presumably one in each. (Letter-book F. f. 42 a.) These are frequently alluded to in subsequent Letters of the University. See especially F. f. 61 b, in which the University boasts itself to be the only one in the world where 'non pro vili precio et particularis seu in privato ut olim consuemerat sed gratis integrum et in publico omnes artes, omnes philosophie legatur' (1442). *A Royal Lectureship of the same kind for Theology is mentioned in 1481 (F. f. 143), which was perhaps absorbed in the Margaret Professorship.*
But these Lectureships were not permanently endowed, and came to an end upon the Duke's death. The need was actually met by the gradual growth of College teaching, which practically made the wealth of the Colleges intended for other purposes available for the endowment of University teachers. In the higher Faculties such teaching as continued to be given at all was supplied by the endowed Professorships, of which only one was instituted within our period—the Professorship of Divinity, founded by the Lady Margaret, mother of Henry VII, in 1497.

The architectural history of the University lies beyond the scope of this work, except in so far as it bears upon its constitutional and educational organization. In the Church of S. Mary—the centre of University life and the scene of its earliest Congregations—the University possessed of course no rights whatever. The Church was simply borrowed by the University for its Congregations and Latin sermons, just as S. Peter’s-in-the-East was borrowed for English sermons, and S. Mildred’s for meetings of the Faculty of Arts. The adjoining Congregation-house, which was rebuilt at the end of the fifteenth century, was begun by Thomas Cobham, Bishop of Worcester, in 1320, with an Upper Chamber to hold his Library. The executors of the Bishop pawned the Library to defray the expenses of his funeral and pay his debts. Oriel College, at their suggestion, redeemed the books, and being also the improperifying Rectors of the Church, claimed to treat both building and library as its own property: but in 1337 the Masters asserted their supposed rights of ownership by coming 'with a great multitude' and forcibly carrying away the books from Oriel, 'in autumn' when the Fellows were mostly away, lodging them in the Upper Chamber.

2 The Church was almost entirely reconstructed except the Tower, at the end of the fifteenth century, the Chancel in 1460, the Nave in 1490—1495. Wood, City, II. pp. 17—19; Lyte, p. 378; Archives, F. f. 156 sq., 176. An account of these letters is given by Floulkes, Hist. of the Church of S. Mary, p. 901 sq.
3 See Poole’s life of Cobham in Dict. Nat. Biogr. II. p. 158, and the interesting narrative printed from
The Schools.

In 1439, however, Thomas Hokenorton, Abbot of Eynsham, pulled down a number of the isolated Schools belonging to his Abbey, and erected 'a long pile of stone building consisting of two stories,' which practically served as the principal Arts Schools of the University till the present 'Old Schools' were built in the time of James I. The Masters, however, who taught in the 'Schools of Osney' continued to pay rent (13s. 4d. for each School) to the

4 At the beginning of the fifteenth century thirty-two in number. Mun. Acad. pp. 239, 240 (cf. p. 453). Denifle (I. p. 680) had been misled by Mr. Anstey into supposing that in 1278 there were thirty-one Schools in various parts of the town, citing a document from Mun. Acad. p. 38, which describes the number of 'Regentes' in each part of the town, including regions where no Schools are ever heard of. Mr. Anstey admits that in A the contraction 'Reg.' stands for 'Regratorum,' and a petition of the University to the Parliament of 33 Edward I, complaining that the townsmen have increased the accustomed number of thirty-two Regators, places this reading beyond a doubt (Memoranda de Parlamento, p. 45). That there should afterwards have been this very number of thirty-two Schools in School Street is certainly an odd coincidence.

5 See Doc. in Ayliffe, II. p. lxxx. Lyte (p. 100) assumes that Oriel recovered the books, but of this there is no evidence.
Abbey, reimbursing themselves (as at Paris) by subletting to Determiners\(^1\). About the year 1426\(^2\), the University began to collect money for the present Divinity School, which, when its ample window space was filled with stained glass, must have been a gorgeous specimen of late Gothic art. The building absorbed the energy of the University and the liberality of its benefactors for half a century; it was not completed till 1489\(^3\). An Upper Chamber over the Divinity School was established for the valuable Library given to the University by Humphrey, Duke of Gloucester, in 1439 and 1443\(^4\). The Schools of Law lay in the neighbourhood of S. Edward's Church. In 1465–1489 we find the University collecting money for the repair of the Canon Law School and the Civil Law School\(^5\), but it is clear that these buildings were the actual property of the principal Doctors of Canon and Civil Law, not of the University itself. It is curious to observe how universally the fifteenth century is the era of 'University Buildings.' About the year 1440 the Universities all over Europe were endeavouring to provide themselves with buildings of their own. It is more than an accidental coincidence that this was about the period at which the Universities began to lose their independence, and to fall more and more under the control of their respective governments. In their poverty had been their strength. In another way, however, the story of the buildings in which the Masters of the fifteenth century took more delight than in teaching or in study, is one connected with the best movement of the age. The fifteenth century was everywhere an age of Library-making; in the Library the solitary student, weary of the disputa-

\(^1\) Wood. III. pp. 759, 760.  
\(^2\) Letter-book F. f. 6 a. The site was bought in 1427. Pyx. W. P-B.  
\(^3\) (Other documents, nn. 2, 3, 4, have disappeared.)  
\(^4\) Wood III. p 778 gives 1480, but see F. ff. 134 b 160 b.  
\(^5\) Mun. Add. pp. 758–772. Others were not received till after 1450. i.e. till at least three years after the Duke's death. Macray, Annals of the Bodleian, pp. 6–8.  
\(^6\) F. ff 117 b, 143 b, 144 a; Wood. III. p. 769. The Canon Law School was begun in 1489: F. f. 159 b. It is not clear whether the 'Civil School' was rebuilt.
tions of an effete Scholasticism, could find richer intellectual
pastures for himself. Duke Humphrey's Library contained,
besides the usual contents of medieval Libraries, a consider-
able number of Greek and Latin Classics, together with
some works of the Italian scholars \(^1\). It is the first irrup-
tion of the full-blown Italian Renaissance into Oxford, and
no doubt helped on that spontaneous groping after an
improved Latinity and a more literary education which, at
Oxford as at Paris, prepared the way for the men of the Re-
naissance proper—the wandering Greeks and the Northern
Scholars who had studied in Italy. The last years of the
fifteenth century, as presented to us in the official records
of the University, tell of nothing but the dreary routine of
expiring Scholasticism. As presented to us in the letters
of Erasmus and his friends, they are full of bright promise—
a promise which in Oxford was never wholly fulfilled. But
the growth of humanism during the last ten years of the
fifteenth century—the age of Colet and Grocyn, of Linacre
and Erasmus—in many ways the most fascinating decade in
all our Oxford annals, belongs not to the history of medieval
University systems, but to the history of the movement by
which that system was destroyed \(^2\).

§ 6. THE COLLEGES OF OXFORD.

Greatly as the originality of the English College-system
has been exaggerated, there can be no doubt of the peculiar
interest which our English Colleges possess for those who
are familiar with the towns to which they still impart that
ecclesiastical and medieval tone which has so completely
vanished from the University cities of the Continent. We
may therefore be allowed to devote to the origins of Merton

\(^1\) See the Catalogue in *Mum. Acad.*
p. 758 sq., and Macray, *l. c.* p. 6 sq.

\(^2\) The history of these years has
been delightfully written by Mr.
Seebohm in his *Oxford Reformers*,
and by Prof. Montagu Burrows in
*Memoir of William Grocyn* (*Collect-
tanea*, II. p. 332 sq.). See especially
his remarks (p. 339) on Thomas
Chandler, Warden of New College
from 1454 to 1475, who wrote good
Latin, though there is no reason
to believe that he had studied in
Italy.
and New College, of Peterhouse and King's, somewhat more attention than has been bestowed upon the Sorbonne and the College of Navarre.

Something has already been said in connexion with Paris about the system of residence in Halls or Hostels and the gradual changes by which the Hall passed from an independent and self-governing community into the position of a boarding-house kept and in the main governed—though not without vestiges of its ancient autonomy—by a Master under the authority of the University. Indeed, we have been obliged to some extent to interpret the scanty notices of the Parisian system by thepler evidence which Oxford supplies. Whatever doubt there may be as to the originally democratic character of the Parisian Hostels, there can be none as to that of the Oxford Halls, while the Aulian Statutes of 1489, printed at the end of this volume, exhibit this ancient autonomy in the very act (as it were) of being superseded by that of the University of Masters and of the individual Principals.

It is instructive to trace the process by which the University gradually asserted its supremacy over the Hall communities. The starting-point of the Chancellor’s jurisdiction over the relations between the Principal and his ‘fellows’ (socii) was simply the custom of giving security before the Chancellor for the rent of the house. This proceeding was enforced merely to secure the payment of the rent and prevent disputes between competing applicants for Halls: any scholar who tendered the required amount had the right to be admitted to the Principalship. But it would at the same time enable a Chancellor to reject a Principal to whom he had reason to demur, and in certain cases the University threatens Principals offending against

---

1 Similarly the ‘Inns of Court’ in London were originally Hostels hired from a landlord by some group or society of ‘Apprentices of the Law.’ ‘Pulling, The Order of the Caf, p. 130.) They were formerly ruled by a Principal and Ancients, ‘as it has continued to this day in the lesser Inns.’ (Ib. p. 165.) Since these societies were not incorporated, their status was very similar to that of the Hall-communities. It is probable that their government was at one time more democratic than now.
CHAP. XII, the University regulations about the manner of hiring Halls—
as for instance by buying the succession to a Principalship
from the last holder—with the loss of their position. Gradually
the Chancellor seems to have arrogated to himself a general
power of removing an offending Principal. In the time of
Edward I it is said that the Chancellor received express
authority from the University to veto the Statutes made by the
Aulares and even to impose Statutes upon them at his own
discretion, though there is not much evidence of the power
having been actually exercised till the second half of the
fifteenth century. In 1411 Principals were forbidden to receive
scholars expelled from other Halls for breaches of their Statutes.
In 1421 Henry V enjoined that Principals should receive
only scholars of good character, and all scholars were
required to reside in the Halls of Principals 'lawfully
approved and admitted by the Chancellor and Regents.'
Probably at some earlier date a Statute had been
passed to forbid a maniple or servant, though himself
a scholar, from being Principal of a Hall, and in 1432
the University took the important step of restricting
the Principalship to graduates (though even after this
a Principal might be merely a Bachelor of Arts); and it
is noticeable that the Statute now passed recognizes the

---

1 Mun. Acad. pp. 14, 470. Principals are also required, even in
the more ancient Statutes, to report to the Chancellor scholars not attending
lectures and otherwise offending. Ib. pp. 93, 427.

2 Nullum statutum aulare in Oxonia liget nec obliget aliquem de aula
si Cancellarius contradicat: et tunc etiam concessum fuit Cancellario
Oxoniae in perpetuum ut ipse licite possit declarare, modificare, et renove
statuta aularia studentium in

3 Some of the proclamations by
the Chancellor or declarations of
custom contained in the Statute
books may perhaps be looked upon
in this light, but the private Statutes
of the individual Halls were not
superseded.

5 Ib. p. 279.
6 Ib. p. 468.
Principal as bound in some measure to assist his scholars in their studies. At about the same time, during the Chancellorship of Gilbert Kymer, M.D., a code of Statutes was drawn up for the government of the Halls by the Chancellor with the 'advice and consent of the Congregation of Masters and of the Principals of Halls.' Another code—probably the code still extant—appeared in the year 1489. By these Statutes the authority of the Principals was still further reinforced and migration without the consent of the Principal or of the Chancellor peremptorily forbidden. We shall have more to say about the contents of these Statutes in a later chapter. Meanwhile we may note their significance as marking the completion of the process by which the ancient Hall or Hostel was transformed from a private house rented by a society of students into a recognized University institution.

As at Bologna and Paris, and in fact in all towns where there was any community of scholars, the principle of compulsory taxation by a joint-board of Masters and burghers was established from a very early period: it is one of the very few parts of the University-system which can be traced back to a period anterior to the Legatine ordinance of 1214. At Oxford the control of the University over the Halls was peculiarly ample. Not only was the owner precluded from letting his house to a layman so long as a clerk was willing to take it, but, if he refused to repair after three monitions, the tenant might execute the repairs and deduct their cost from the rent. Although this custom is not everywhere on record, it is probable that it was widely diffused, since we find almost exactly the same regulations in Universities of distant regions and widely divergent types. At Oxford the Chancellor's ample powers of spiritual censure gave the

---

1 It complains of the appointment as Principals of 'non-graduati et ceteris (leg. ceteri) minus docti consilaresque suos inepti docere.' *Mun. Acad.* p. 307.

2 *Mun. Acad.* pp. 358 sq. They are printed below, App. XXIX. Chamberdeyns still survived in 1618. (Reg. K. 23. f. 109.)
§ 6. Position of other Halls.

University exceptional facilities for enforcing these somewhat high-handed 'customs.'

Before the close of the medieval period, most of the Halls passed into the possession either of monastic bodies or of Colleges. This circumstance helped to give the aspect of public and permanent institutions to the few Halls which survived the Reformation and which are now in process of extinction by one of the most vandalistic and unintelligent of our recent University reforms. The Colleges, regarding the Principalship of their Halls as a piece of patronage to be bestowed upon one of their Fellows, ceased to demand anything more than an accustomed quit-rent. As no fresh Halls were allowed to be created, the Principalships passed into important pre-ferments in the hands either of the Chancellor or of the College to which the Hall belonged; and in the course of time the lawyers being puzzled by the anomalous character of these Hall-communities, which de facto held and transferred property without any legal incorporation or perpetual succession, devised the legal fiction that their property was held in trust for them by the University. The Earl of Leicester obtained from Queen Elizabeth the recognition of his right to nominate to the Principalship of the Halls (though Queen's afterwards succeeded in making good its claim to the nomination at S. Edmund Hall); but even then traces of the democratic character of the institution remained, and it was still considered necessary to summon the whole Society (including the Undergraduates) to elect the Chancellor's nominee. This ceremony was gone through on the admission of the last Principal of an independent Hall who survives among us.

---


2 All are doomed with the solitary exception of S. Edmund Hall, which is now placed in still closer connexion than formerly with Queen's College. The others have been sacrificed to the cupidity of neighbouring Colleges.

3 An opinion of the Attorney-General was obtained at the time of the foundation of the first Hartford College (1740) to the effect that Exeter College had lost the right to raise the rent of Hart Hall.

4 See Appendix XXVI.
THE COLLEGES OF OXFORD.

The earliest benefaction intended to support scholars at the University was of a very simple character. To maintain or ‘exhibit’ a scholar or two at a School or University was a recognized ‘good work’ long before the age of Colleges: to found a Chantry for the maintenance of a Priest to say mass for the founder’s soul was an equally common expression of medieval piety. Alan Basset, who died in or shortly before the year 1243, conceived the idea of combining a Chantry with a Scholarship. In accordance with instructions contained in his will, the executors arranged with the Prior and Convent of Bicester or Bicester (a House founded by a kinsman of the testator) for the payment of eight marks a year to two Chaplains who should say mass daily for the Founder and his wife, and at the same time study in the schools of Oxford or elsewhere. The Chanties in Oxford Churches no doubt helped many a poor Priest to get a University education; but Basset’s exact plan was not followed by later benefactors. Though Alan Basset may claim the credit of providing the first permanent endowment for an Oxford scholar, he can hardly be called the founder of the first Oxford College.

UNIVERSITY COLLEGE (c. 1280).

William Smith’s Annals of University College, Newcastle-on-Tyne, 1728—by far the best of our earlier College-histories. Cf. Wood’s City, I. p. 554. The Memorials are catalogued in the Fifth Report of the Historical MSS. Commission, p. 477. William Smith also left a large collection of MS. transcripts of documents, &c., connected with the College, which is preserved in the College Treasury.

The original plan of what was in design, though not in actual erection, the earliest of existing College-foundations was hardly on a larger scale than the modest Chantry of Alan Basset. William of Durham, a distinguished Master of Paris, at one time Rector of Wearmouth,

1 Twyne I. f. 159 I have been unable to trace the original. Wood and Lyte refer to Lincoln Reg.
CHAP. XII, at another Archbishop-elect of Rouen, died in 1249, leaving to the University 310 marks to be invested in rents for the support of ten or more Masters of Arts studying Theology. The University placed the money in a chest and used it, partly 'on their own business' and partly in 'loans to others' which were never repaid. In this way 110 marks had been spent: only an annual income of eighteen marks remained, which was expended in the purchase of houses. The purchase of the houses was probably intended merely as a mode of investing the money, and it is not clear that either the Founder or the University originally intended that the pensioned Masters should form a community. It was not till after a precedent had been created by other benefactors that the University drew up a scheme for a little community of four Masters who were to live together (with any other scholars who might be willing to board with them) in a Hall which had been purchased as their residence. This Hall is the germ of the present University College, still legally styled Great University Hall. The College probably

---

1 Matthew Paris calls him at one time 'eminentissime literatus,' at another 'vir literatissimus.' He died in crossing the Alps upon his return from the Roman Court. *Chron. Maj.* (ed. Luard), V. 91; *Hist. Anglia* (ed. Madden), III. 67. He was one of the four Masters who in 1249 left Paris for Angers. *Chron. Maj.* III. 168, but I know of no evidence that he headed 'a migration to Oxford,' as is confidently stated by Lyte (p. 31), though this may well have been the case. It is probable that he was not identical with William de Lanum, Archdeacon of Durham in 1234, though they are identified in an inscription in a window of the College. Le Neve, *Fasti,* ed. Hardy, III. p. 302.

2 This account is taken from the document mentioned on p. 471, note 1.

3 Smith, pp. 9-13. Some of it was lent to the Barons in the Barons' War. See Adam de Marisco's letter to the Chancellor, *Mon. Franc.* I. p. 257.

4 Among these was the Hall which the eminent Canonist, William of Drogheda, in 1250 gave to the Prior and convent of Sherborne, who in 155 sold it to the University (Documents in Treasury). It is still known as Drawda Hall (No. 33, High Street).

5 Where this Hall was originally situated is completely doubtful. It has usually been supposed that an earlier *Aula Universitatis in vicino Sorlarum* (Smith, p. 61) was inhabited by William of Durham's Masters, but this is not a safe assumption: the title only denotes that the Hall was the property of the University.
began its actual existence in 1280 or soon after. The Chap. XII, earliest extant Statutes were drawn up by the University in that year\textsuperscript{1}, but were superseded by a fuller code in 1292.\textsuperscript{2} Following the example set by the Founder of Merton, the University made the Scholars to some extent a self-governing corporation under the senior Master, who was to receive a double allowance in consideration of his administrative labours. At first he was to act in conjunction with an external Master of Arts, while, in the election to vacant places, the Chancellor and Theological Masters of the University were to act with the members of the community.\textsuperscript{3} In 1292, however, the external Superintending Master disappeared, but the College still remained under the government of the Chancellor, the Proctors, and the Faculty of Theology, and by them the vacant places upon the foundation were filled up.\textsuperscript{4} How very gradually the little College fought its way to autonomy is illustrated by the fact that so late as 1311, the date of its third code of Statutes, the Community had no common seal and was therefore obliged to borrow the seal of the Rural Dean of Oxford in concluding the agreement between itself and the University.\textsuperscript{5}

The present site in High Street came into possession of the College in 1332 (Wood, Colleges, p. 43). The College removed thereto in or about the year 1343 (Conybeare, in The Colleges of Oxford, p. 9). The title \textit{Magna Aula Universitatis} (more simply University Hall), appears in 1381, but the style \textquote{College of William of Durham} was still sometimes used in the time of Elizabeth (ib. p. 10). For an account of the forgeries, lies, and impostures which former Masters and Fellows of University have perpetrated in defence of its Alfredian origin, ending with the Millenary banquet of 1872, see Smith, \textit{passim}, and Conybeare, pp. 10-14.

\textsuperscript{1} In this year a scheme, containing a short code of Statutes, was drawn up for the foundation of the Society, as appears from a document in the Treasury, partially translated by Wood, Colleges, pp. 40, 41. I am much indebted to the present Master (Dr. J. F. Bright) for his kindness in giving me access to the original and to other College documents.

\textsuperscript{2} Mun. Acad. p. 56.

\textsuperscript{3} An attempt was made to elect a Master in 1382, but was seemingly foiled. Smith, pp. 264-266.

\textsuperscript{4} Compare the very similar constitution of the Sorbonne at Paris, which very probably suggested this provision, above, vol. i. p. 490. The University, however, retained and frequently exercised the right of hearing appeals from these delegates.

\textsuperscript{5} Smith, p. 46. The original of
In spite, however, of the want of any Royal Charter or formal incorporation, the College, according to medieval practice, experienced no difficulty in holding land and other property in its own name, and the possessions of the College and number of its Scholars were gradually increased by successive benefactions. The most important of these additions were three fellowships founded by Walter Skirlaw, Bishop of Durham, in 1403, and three more (with the gift of an advowson) by Henry Percy, Earl of Northumberland, in 1442. In 1377 the College became involved in a law-suit about some of the newly-acquired property. It was to extricate themselves from their legal embarrassments, by procuring the evocation of their cause to the Royal Council-chamber, that the Master and Scholars of University first devised the impudent fiction of a Royal Foundation by Alfred the Great, which has now become part of the Law of England by a decision of the Court of King's Bench.

BALLIOL (1261–1266).

Balliol can boast of the earliest of College Histories—a good one of its kind—Balliol lies, by Henry Savage, then Master (Oxford, 1668). The Early History of Balliol College by Miss. De Paravicini: London, 1891) reprints most of the documents contained in Savage, and collects some documents and information about the College from other sources. The College Archives are calendared by Riley in the Fourth Report of the Historical Manuscript Commissioners, 1874, p. 442 sq.

In or about the year 1260 Sir John de Balliol, father of the illustrious rival of the Bruce, incurred the wrath of one of those militant Prince-Bishops whom the English

these Statutes is in the University Archives. I. W. P. 10 (printed from the Statute-books in Mun. Acad. p. 87). The earliest seal appears in 1330. Smith, p. 103.

1 Smith, p. 219; Wood, Colleges, p. 47.

2 Smith, pp. 107-141. The litigation lasted till 1389.

3 In 1786, when the visitation of the College was adjudged to the Crown (Ingram, L. p. 6), though there was not a single precedent for its exercise and numerous evidences of the visitatorial rights of the University—a characteristic illustration of the way in which English lawyers have manipulated history.
Kings employed to guard the Northern border against the \textit{Scot}. The details of the outrage are not known, but we are told by Matthew Paris that the Lord of Barnard Castle had ‘unjustly vexed and enormously damned’ the Church of Tynemouth and the Church of Durham. Certain it is, however, that in the year above mentioned, the Founder of Balliol College knelt at the door of Durham Abbey, was there publicly scourged by the Bishop, and undertook to provide a perpetual maintenance for certain poor scholars in the University. The outcome of this involuntary munificence was a College which forms an exception to the general type of English Colleges, and well illustrates the difference between the English College-system originated by Walter de Merton and the earlier foundations of Paris, of which Balliol’s original scheme is an obvious imitation.

It is certain that the scholars were established in Oxford College before June 1266. They were at first supported by annual payments from the Founder, who allowed a commons of eightpence a week to his pensioners. Balliol is thus distinctly in actual fact the oldest of Oxford Colleges. But it was not till 1282, thirteen years after Balliol’s death, that his widow Dervorguilla placed the ‘House of Balliol’ on a permanent footing. Though the Statutes now drawn up was apparently the first writer who discovered this and the above allusions.

\begin{enumerate}
\item \textit{Chrom. de Lanercost}, ed. Stevenson Maitland Club, 1839*, p. 69. The name of Balliol is not mentioned, but the identification is practically certain.
\item The King directs the Mayor and Bailiffs of Oxford to lend John de Balliol £20 out of the fee-farm of the town ‘for the use of the Scholars whom he maintains in the said town.’ \textit{Calendar of Scotch Documents.} ed. Bain, p. 476.
\item \textit{Chrom. de Mailros}, ed. Stevenson Bannatyne Club, 1835, p. 217 an. 1269). Mr. Lyte (p. 71 sq.) was apparently the first writer who discovered this and the above allusions.
\item The establishment of the College was confirmed by Oliver Sutton, Bishop of Lincoln, in 1284 (Linc. Reg. Sutton, f. 74 b; Savage, p. 18). The actual foundation belongs to the same year (ib. p. 25; \textit{Report}, p. 442), but the language of the deeds makes it plain that the College existed \textit{de facto} before John de Balliol’s death in 1289. A Licence for an oratory was granted by the Bishop in 1293 (Linc. Reg. Sutton, f. 75 a; Savage, p. 30), and confirmed by Bull of Urban V in 1364 (ib. p. 36).
\end{enumerate}
were later than the earliest Statutes of Merton, they seem to be entirely uninfluenced by that famous Code, and probably embody a constitution already in working order. Balliol College was originally not a land-holding corporation like other Oxford Colleges, but simply a Hall of Students presided over by a Principal of their own election. The finances of the House were entrusted neither to the Principal nor to the scholars, but to two extraneous 'Procurators'—a Franciscan Friar and a secular Master of Arts who paid them their respective allowances weekly, elected to vacant places and generally governed the House after the manner of a Parisian board of 'gubernatores.' Like many Paris foundations, but, unlike most Oxford Colleges, the 'Hall of Balliol' was originally a College for Artists only, who lost their places upon taking a degree in Arts: yet, though the members of the foundation must have been mere boys, the Principal was required to govern them in accordance with Statutes and customs made by themselves. And herein we obtain a most interesting clue to the mode of government (if such it can be called) which prevailed in the ordinary Halls whether the Principal was a Master or not. The College assumed something more like the form of the other Oxford Colleges after the foundation of six theological Fellowships (in addition to the existing sixteen) by Sir Philip Somerville in 1340; twenty-four years after which the privilege of

1 We may perhaps trace the Franciscan influence in the fact recorded in Bp. Sutton's confirmation (Linc. Reg. f. 74 b, that many members of the House 'in religione et alibi magnum fructus cumulum produxerunt.' Later they are called Rectores—a term sometimes used for the Gubernatores at Paris. Report, loc. cit. p. 443 a.

2 This was confirmed by a decision of the Proctors in 1325. Report, p. 442.

3 The Statutes for Somerville's foundation are issued by 'Edwards [Balliol] De gratia Scotorum Rex, ex prima fundatione Magistri et Scholastium aule sive domus de Ballio in Oxonia Fundator.' A somewhat varying copy is found in Reg. Palatinum Dunsden. ed. Hardy, III. p. 381. Somerville created a Master, but left the Principalship untouched. It was clearly intended that (as in Paris Colleges) there should be a Master of the Theologians with a separate Head for the Artists.
Theology after Regency in Arts was extended to Chap. XII, original Fellowships by Papal Bull. Somerville's Statutes were superseded by a code drawn up, under authority, by Simon Sudbury, Bishop of London, in 1364. The Statutes by which the College was governed to the date of the first Parliamentary commission were 1364. Statutes of Winchester and Carlisle, under all of Julius II in 1507, at the request of the Master and Fellows. The original Founder had omitted to place College under a Visitor, and by Somerville's Statutes Visitorial powers were awkwardly divided between Chancellor of the University, the Bishop of Durham, Prior of Durham College, and the two extrinsic Masters. Statutes of 1364 had made the Bishop of London Visitor. The new Papal Statutes bestowed upon the College the unique privilege of electing its own Visitor. After the Reformation, the intrinsic Visitorial right of diocesan appears restored by the foundation-charter of the Church. It is not very clear by what means the College has recovered the right of electing a Visitor, there seems some reason to fear that this ancient institution, in acting upon the Papal Bull in defiance of College Register. The extended Statutes of the Fellowships and an increase of the Commons from 8d. to 10d. each were secured by the imprisonment of Abboldesley in the diocesan college, given by Sir William Felton in 1346. Paravicini, p. 168, though endowment did not become able by the death of the Rector in 1361, when Wycliffe as Master possessed the benefice. Coln Reg. Gynwell, Institutions, 367, 368; Lewis, Life of John Wycliffe, Oxford, 1820, p. 4. Wycliffe mentioned as Master in other documents from 1360. Report, 17 sq. The Scholars were at first established in hired Halls paying part of the present site, Margaret Hall, bought in 1384, was the first habitation of their own (Report, p. 447), and forms the nucleus of the present College.


2 Statutes, p. 1. Mr. Poole, Colleges, p. 30, reminds us that the former prelate was Richard Fox, the Founder of Corpus.

1 Statutes, p. x. The Master-elect had also to be presented to the Lord of the Founder's Manor of Wiche- nore. I.e.

3 Statutes, pp. xx, 2.

4 The other Colleges mentioned are Oriel, Brasenose, and Lincoln. (Rymer, Fossella, XIV. 1712, p. 757.) The intention may, however, be only to establish the rights of the Bishop as Ordinary, not as Visitor.
Chap XII, a Royal Charter, may at one time have been liable to the tremendous penalties of Pramunire; though any such defect in the Visitor’s title is no doubt cured by the new Statutes.

Far more elaborate and original was the design of Walter de Merton, the true Founder of the English Collegesystem. But before approaching this part of our subject it will be well to notice the growth of those Houses by which at Oxford as at Paris the conception of an academical College must have been to a large extent suggested—the Colleges of the Regulars. The establishment of the Mendicant Orders in Oxford has already been sufficiently dealt with. It will be enough, therefore, to notice the Colleges of the older Orders, which, being entirely designed as places of study, were more closely analogous to the secular Colleges than the Convents of the Mendicants.

The Monastic Colleges.

The example of the Mendicants was tardily followed by the older religious orders. The days were over in which the Benedictine Monasteries had been the repositories of the learning of the age. As places of education they had been completely superseded by the growth of the Universities; as houses of learning their reputation had decayed with the decay of the positive or contemplative Theology which had once flourished within their walls. Only very tardily were they shamed by the intellectual activity and consequent fame and influence of the Mendicants into somewhat feeble efforts to rescue their orders from the reproach of entire ignorance.

In 1289 a Chapter-general of the Benedictines held at Abingdon imposed a tax of 2d. per mark upon the revenues of all the Benedictine Monasteries in the province of Canterbury, for the purpose of maintaining a Hall at Oxford as a Studium for their monks.¹ Four years later,

¹ The documents are printed in Reyner, Apostolatus Benedictiorum in Anglia, Duaci, 1606, App. pt. i. p. 53 sq.—some of them reproduced...
John Giffard, Lord of Brimsfield, established a House, henceforth known as Gloucester Hall, for thirteen monks from the great Monastery of S. Peter at Gloucester; but in 1291 this House was apparently thrown open to all Benedictine Convents in the southern province, though John Giffard's benefaction must (it may be presumed) have still been enjoyed by Gloucester alone. Gloucester Hall thus became an independent College, and its Prior ceased to owe any special allegiance to the Abbot of Gloucester. The House was under the general government of the Benedictine Chapter-General and its Presidents, who elected the Prior. The expenses of each monk (except the thirteen from Gloucester) were defrayed by his own House, each Convent being obliged to send one or more scholars to Oxford. The old buildings of Worcester College still exhibit the arms of some of the chief English Monasteries, which are no doubt to indicate the separate staircases built by and appropriated to their respective Houses.

At nearly the same date we find Benedictine Monks from Durham—the greatest Monastery of the Northern province—sent by their then Prior, Hugh of Darlington, to study at Oxford. Richard of Hoton, who succeeded him 1289, began the erection of a College-building.


1 Wilkins' Concilia, II. pp. 595, 714, &c.


CHAP. XII, de Bury, Bishop of Durham, greatest of medieval bibliophils, contemplated its permanent endowment: and actually bequeathed to it the invaluable Library which he had collected at Auckland. His successor, Thomas de Hatfield—the magnificent builder of the Castle Hall and the Episcopal throne at Durham—actually entered into an agreement with the Prior and Convent for the joint-endowment of a College for eight monks and eight secular scholars: but the project was not completed till after his death in 1381, when it was undertaken by the Convent under an agreement with Hatfield's executors. By Bishop Hatfield's Ordinance the monastic students of Theology and Arts were placed in the position of what would afterwards have been called Fellows or full members of the Society: the secular students of Arts and Grammar, who held their places for seven years only, waited upon the Fellows, sat at a second table in the Hall with the servants, and were in fact mere servitors of the lordly Monks of Durham. The Library built to hold the treasures accumulated by de Bury still forms a connecting link between the ancient monastic House and the modern Trinity College erected on its ruins by Sir Thomas Pope in 1554.

The Monks of Christ Church, Canterbury, had a Hall of their own in or near the site of the present S. Edmund Hall as early as 1331, (besides a house in Gloucester College), which, however, they sold to the Monks of Westminster after acquiring a regularly endowed College of their own in Canterbury Hall, to which we shall return hereafter.

1 He bound himself in 1338 to fulfil a vow made to that effect by Edward III on the field of Halydon, on condition that the King would abandon his claim to the Advowson of Symondburn. Reg. Palatinae Duxel., ed. Hardy, III. pp. 210, 211.

2 That the Bishop intended his Library for Durham College is proved by Philobiblon, cap. 18 sq., where he lays down elaborate regulations for its use. That he actually gave it is doubted by his latest editor, Mr. Thomas (Philobiblon, p. xxi), but without sufficient reason.

3 Libera Cantuarienses, ed. Shepard, 1887-9, I. pp. 339, 392. It is described as "situatum juxta ecclesiam Sancti Petri in Oriente, ubi soliobat Dominus Archiepiscopus manere." S. Edmund Hall possibly marks the site, though others often refer the name to a former owner called Edmund.

The Cistercian Abbey of Rewley, founded by Edmund, CHAP.XII, 1 of Cornwall, in or about 1280, has usually been called upon as an independent monastic House rather than a College; but it was founded to serve the purpose of college for students from other Houses, and is often spoken of as the 'Studium' of the Order. Other Cistercian houses, however, resided in Halls temporarily hired for the pose, till in 1432 Archbishop Chicheley, the founder of 'All Souls', founded, on the site now occupied by S. John's, college of S. Bernard, though the Provisor and scholars continued to be supported by their respective Houses.

In the same way the Canons Regular of the Order of Augustine acquired in 1435 a College known as Mary's College, to which Canons were sent from all the houses of the Order. It was situated on the site of a house now known as Frewen Hall; and a touch of orical interest is still imparted to the little ruin in v Inn Hall Street by the remembrance that Erasmus...
CHAP. XII.

§ 6.

S. George's College.

Unimportance.

took up his quarters there during his residence in Oxford. In the same year the Canons Regular of Osney turned their dependent House of S. George's within the Castle into a College for their own young Canons as well for other seculars under a Warden chosen from their own number.

These monastic Colleges possess very little importance in the history either of learning or of education. Monks never applied themselves cordially to the scholastic Philosophy or Theology. The older monastic Orders never produced a single great Theologian from the days of S. Bernard till the reign of the Scholastic Theology was over and was superseded by an age of learned Theology. The aim of these monastic Colleges was probably very simple and practical. It was only a select few of the younger monks who were sent to them. What the monastic Houses wanted was not to produce great Theologians or to contribute to the advancement of Learning, but simply to have a few instructed Theologians capable of preaching an occasional sermon to their brethren and of imparting an elementary theological education to the novices. Another purpose which probably interested the average Abbot more than the educational needs of his House was the supply of Canonists competent to transact its legal business and to represent it in the ecclesiastical Courts.

The real services of the monks to literature in the later Middle Age lie in a field quite alien to the studies of the Universities. To the Monasteries belongs the credit of producing the great mediaeval historians. The Benedictine monks of this period were above all things men of the world: their point of honour was a devotion to the interests of the House: their intellectual interests lay in its history and traditions. As a body they had as little interest in the controversies of the age as they had in the practical work of

1 Richard Charnock, the Prior of this House, is praised by Erasmus inEp. xliii. (Opera, Lugd. Batav. 1703, T. III. c. 42.: A letter dated from S. Mary's College is printed, ib. T. IV. c. 1791.

2 Cf. Wood, City, II. p. 186. Mr Lyte does not notice the existence of this College. The Statutes are preserved in the same volume as the S. Mary's Statutes mentioned above.
the Church. Both Theology and preaching were abandoned to the Friars. The consequence was that no great Schoolman was a monk; while not more than two or three important historians were Friars. It is worth noticing that as the monastic orders sank into a yet deeper quagmire of moral degradation towards the close of the fourteenth century, the number and quality of monastic historians began to fall off. The connexion between intellectual and spiritual vitality, in Societies if not in individuals, is much closer than is sometimes supposed.

Merton (1263 or 1264).

Brodrick, Memorials of Merton College (Oxford Hist. Soc. 1885), especially valuable for the biography of individual Fellows and for the post-medieval period, has not altogether superseded the Sketch of the Life of Walter de Merton by Edmund [Hobhouse, then] Bishop of Nelson, 1859. The Foundation Statutes of Merton College, Oxford, with a few other documents, have been published in English by Percival, London, 1887. A number of documents are contained in that curious factago, Kilner's Pythagoras' School in Cambridge, no place or date).

Walter de Merton was one of those ecclesiastical civil servants or statesmen who rose to high position in the Church almost before University distinction had become the ordinary passport to a public career. He may have been a student at Oxford; but it is pretty certain that he never graduated there or elsewhere. He resolved to devote the savings of a successful life to secure to future scholars, and especially to his own family, the advantages which he had not himself enjoyed. The chief object of the College was to provide for the education of Theologians, though a limited number of the Fellows might be allowed to proceed in Civil and Canon Law.

It was probably in the year 1263 that Walter de

---

1 Even in 1345 Richard de Bury complains that 'calicibus epotandis non codicibus emendandis indulget hodie studium monachorum.' Philo-

2 For the following particulars it seems sufficient to give a general reference to the printed Statutes.
Merton made over his Manor House and estate of Malden in Surrey to a community of Scholars. The formal and permanent establishment of the College was effected, and the first Statutes granted in the following year. The nature of this 'House of the Scholars of Merton' has often been strangely misrepresented. It has been spoken of as if the Founder had conceived the design of planting a College of students in Arts and Theology in the midst of the corn-fields of Surrey. So far is this from being the case that the scholars, in whom the property of the house was vested, were nevertheless not allowed by the Statutes to reside within its walls for more than one week in the year at the annual audit. The House was to be occupied by a Warden ( Custos), who was not (so far as appears) required to be either a Priest or a scholar, together with certain 'Brethren' (a name probably suggested by the lay brothers who farmed the estate of a Benedictine Abbey), at other times spoken of as bailiffs or stewards, whose business it was to manage the property and pay their allowances to the scholars. There was also a provision for certain 'ministers of the altar' who were no doubt to serve the Parish Church, and who lived with the Brethren. The scholars were all originally nephews of the founder; and their number was to be filled up from the descendants of his parents, or (failing a sufficient number of these) other 'honest and capable young men' with a preference for the diocese of Winchester. They were to study in some University, where they were to hire a Hall and live together as a community. The Warden did not accompany them; he was not their Master or instructor, but rather the representative of a rich uncle who intended for all

---

1 See the deed in Hobhouse, p. 15 (as to the date, cf. l. c. p. 117). From a charter granted by the Earl of Gloucester in 1262 it appears that the Founder had contemplated vesting the property in trust with the Priory of Merton, or some other religious House, on the plan of Basset's foundation: l. c. pp. 9, 10.

1 It is curious to find the Archbishop in 1295 writing 'fratribus et scolaribus domus scholarum de Merton': he goes on to speak of 'vestre congregational cesobium.' (Lambeth Reg. Wynachesey, f. 175 b.)
time to serve at once the Church and his own family by providing for the education of his less wealthy relations; \( \text{Chap. X} \) and as such he was no doubt to exercise a paternal control—but a control from a distance—over their conduct at some University.

The uncertainty which Merton’s first Statutes express as the place of study arose from the dangers with which dissensions within, and the Civil War without, threatened the continuance of the Oxford Studium. The Statutes are dated in the very year of the Northampton Secession, and the foundation clause contemplates not merely the possibility of a removal of the Studium from Oxford, but of a state of things in which it might be expedient for his scholars to transfer themselves to Paris or elsewhere. It is worth mentioning that the Founder in 1269-70 acquired a House at Cambridge for his College, no doubt in view of the possibility of a migration to that University.

As a matter of fact, however, Walter de Merton’s scholars were from the first established in a Hall at Oxford. By the second body of Statutes, which was given to the community in 1270, their corporate life at Oxford is more fully regulated. There is now to be one Sub-Warden at Malden and another to preside over the students at Oxford; but it does not very clearly appear whether the Warden is intended to reside at Oxford during term-time. The Founder had long been engaged in acquiring property in Oxford. In the course of the years 1265 and 1266 S. John the Baptist’s Church was appropriated for the benefit of the College; and several houses in its immediate neighbourhood were made over to the scholars. The site thus acquired became the permanent home of the College henceforward known as Merton Hall in Oxford. In 1274 the Founder, now Bishop-elect of Rochester, issued a new code of Statutes, by which the Warden is undoubtedly placed at the head of the Oxford community.

\[ ^1 \text{Afterwards known as Pythagoras’ Hall—} \text{the subject of Kilner’s monograph.} \]
\[ ^2 \text{Hobhouse, p. 17;} \text{ Brodrick, p. 5.} \]
These two changes—the move from the hired house to its own property and the altered position of the Warden—are all that is involved in the so-called transfer of the College from Malden to Oxford. The country-house at Malden was still occupied by the Brethren and Ministers as before, and stood in precisely the same relation to the Oxford community, except that the College had by this time acquired other estates, likewise farmed by bailiffs, upon any one of which the audit might now be held. At Oxford the community had become responsible for the services of the appropriated Church: three of the seniors were to serve it as Chaplains: the rest were to attend the canonical hours 'when they could find time for them,' i.e. on Sundays and Festivals. Three Bursars received and administered the revenues of the Society. Besides the Sub-Warden, there were to be 'Vicenarii' placed over every twenty or 'Decani' over every ten, as might be thought desirable. The duty of these Deans consisted mainly in keeping the peace among the cousins. To assist them in the maintenance of discipline, and especially to enforce the rule of Latin-speaking, one of the seniors in each chamber was responsible. This last provision when introduced into Wykeham's foundation at Winchester may be said to have originated what is known as the 'monitorial system.' In the Universities it is not without parallel in other College Statutes, but was naturally superseded when the usual number in each chamber became limited in the later medieval period to two and still later to one: but the Dean still remains, amid all changes in the character of the discipline enforced, the disciplinary officer in most English Colleges.

This careful provision for the maintenance of reasonable order and discipline in the House will not seem superfluous to anyone acquainted with the laxity and licence of life in the University towns of the period. Merton's regulations were destined eventually to produce a revolution in the character of University life in England. His scholars were to be ready upon admission to their year's probation to begin the study...
rts. After completing their period of necessary Chap. XII, cy in the Arts schools, the majority were to study logy, a few were to be allowed to study Canon, and, bsidiary to it, Civil Law. As some of the scholars often be only thirteen or fourteen years old, it was al that for many purposes only a certain number of the rs, varying in different cases, should be associated with larden in the government of the House. The Society, ver, possessed a higher degree of autonomy than Parisian Colleges. The thirteen senior Fellows elected Varden: vacancies were filled up by co-optation. In of disagreement in the election of Warden they were starved into unanimity, like an old English jury, by traction of victuals.' though the allowance which each might receive from ommon fund was strictly limited, the scholars were different position to the 'Bursars' of continental ges. They were corporate landowners, not (like the ars of Balliol and many Parisian Colleges) pensioners an endowment administered by others. The bishop of Canterbury was merely Visitor with power sforce the Statutes. So far as appears, the scholars t reside in College throughout the year, whereas at a scholar's connexion with his College usually ceased g the long vacation. In later English College Statutes ence during a great part of the long vacation is illy enforced. Moreover the provision did not terminate the attainment of the Mastership in the Faculty ein the scholar had been studying. A fellowship was ys voidable upon promotion to a benefice of a certain int; otherwise it was (as a rule) tenable for life, though Statutes generally required holy orders to be taken or or later as a condition of its retention. We must however, fall (with some modern enthusiasts for the giate ideal) into the anachronism of attributing to our age founders the enlightened design of providing es for life-long study or 'research.' Long as was the ation of the Theologian or even of the Canonist, it
was gone through as a preparation for active service in Church or State elsewhere than in the University. It was assumed that Fellows would be quite eager enough to take a good living as soon as they could get one: till then the English College-Founders desired to provide for their scholars' maintenance. In so doing they were following the example of Walter de Merton who (it must always be remembered) was providing, as the successful medieval ecclesiastic was expected to provide, for the members of his own family. The life-fellow, whether 'idle' or studious, was a being quite undreamed of by any early College-Founder.

Walter de Merton undertook to provide for his nephews from their earliest childhood. Besides the full members of the Society provision was made by the original Statutes for the reception and education in the country-house of a few small boys of the Founder's family, who might want the means of providing them with such preliminary instruction in 'Grammar' as would enable them to begin the study of Arts at Oxford. When the Society were lodged in their own house at Oxford, these 'parvuli' were moved into the College or its neighbourhood. The Statutes provided for at least twelve of these 'secondary scholars.' They were to be instructed by a Grammar-master, whom the more advanced scholars might also consult 'without blushing' upon matters pertaining to his Faculty.

It should be added that Walter de Merton did not, like some College-Founders, definitely limit the number of his Fellows. During the earliest years of its corporate life, the College property was continually increasing through

---

1 In some of the Paris Colleges Theologians are allowed to remain till they can get a 'living'—it is not there contemplated that they should be allowed to stay after the offer of a living. But in most cases resignation after the degree is enforced.

2 This is clearly evident in the Statutes of Queen's (p. 15), which provide that the refusal of a benefice (by whomsoever offered) 'occasione more in ipsa aula ulterius faciendae' shall vacate a Fellowship.

3 At one time they appear to have been lodged in Holywell — later close to the College in Nun Hall (afterwards S. Alban's). Brodrich, p. 12.
be supplementary liberality both of the Founder and other benefactors. It was provided that as many fellows should be elected as the revenues would maintain. A provision for a similar increase in the number of Fellows proportionate to their increasing wealth is found in many college Statutes even where the original and normal number is prescribed. It is probable that these provisions have very seldom been observed. Already in 1284 Archbishop Peckham complains of the excessive and unstatutable salary which the Merton Fellows had assigned to the Brewer and the Cook and of the increase which they had voted to their own allowance of 50s. per annum to defray the cost of delicate living. By 1425 the College had even ventured a diminishing the number of Fellows. The history of the English Colleges is one of increasing wealth and increasing luxury secured by unearned increments and some injury. Such a result is due largely to that freedom from external financial control of which Walter de Merton set the example. On the other hand, the interest of English Fellows in their property has prevented the waste, dissipation, and loss of College revenues of which the history of Paris supplies so many examples.

The Founder's care of his academic family did not cease with the conclusion of their studies. Adowsons were often acquired by College-Founders simply in order to appropriate the Rectories, which was, of course, very much the cheapest way of securing a revenue. But in some of the dowsons acquired by Walter de Merton the Rectories were not appropriated. It appears, therefore, that it was distinctly a part of his purpose at least to give his Scholars their first step upon the ladder of ecclesiastical promotion. Walter de Merton is thus distinctly the founder of that system of College livings which was almost unknown out of England and which has exercised so powerful an

---

1 Statutes, pp. 41, 42.
2 Ib. p 46.
3 Canons and Rectories were often held and served by members of colleges, but I do not remember any case of a continental Founder making it part of his design to provide preferment for his Collegians after leaving the College.
In the 'boys' of Merton College the germ may already be discerned of the distinction so characteristic of English Colleges between the full members of the Society, afterwards known as Fellows or Socii, and the scholars or inferior and temporary foundationers. A still sharper distinction between the higher and lower class of foundationers was introduced when the body of Portionists (now corrupted into Postmasters) was engrafted on to the Merton foundation by John Wyliott about the year 1380. The Portionists, though possibly not junior to the younger Fellows, were a distinctly inferior and poorer class, who had no share, and no prospect of rising to a share, in the government of the House, and were in fact the servitors of the individual Masters, by whom at least from the end of the fifteenth century they were appointed.

It forms no part of my plan to trace in detail the architectural history of the Universities: but a word must be said as to the growth of the buildings in this typical English College. It is important to notice the prominence given to the Chapel in Merton's scheme; for, though the Parish Church already existed, the Founder at once proceeded to rebuild it on the scale not of a mere Oratory, like other College Chapels already existing at Paris.

1 Originally the term was employed to denote the relations between those who boarded together in the same Hall. Eglesfield, the Founder of Queen's, is the first Statute-maker who used socius to distinguish full members of the Society from inferior foundationers. His example is followed by Wykeham, the 'verus et perpetuus socius' being distinguished from the probationer. The distinctive use of scholaria for the inferior members of the foundation is still later. They are denoted by a great variety of terms—pueri, scholastici, siantores at Cambridge—and appear to have been required to act more or less as servants or 'fags' or humble companions to the actual Fellows. Gradually—in post-medieval times—we find the class differentiating itself into 'Scholars' or foundationers who had no share in government but who had no menial duties, and 'servitors' or 'sizars,' who still performed such duties. 'The Master, or President, and scholars' still forms the official designation of the Head and Fellows in many Colleges.


3 ib., p 69.
elsewhere, but of a considerable Collegiate Church. 

The high altar was dedicated in 1277, the year of the Founder's death, though the building was not yet finished. 

'alter de Merton thus at once emphasized the ecclesiastical aspect of the English College (though in other respects his foundation was much less ecclesiastical than the Colleges) and founded a certain tradition of architectural magnificence in which there is some reason to believe that the English Colleges long surpassed those of other countries. Another feature in which Merton served as the type of later Colleges cannot be attributed to the deliberate design of the Founder. 

was only gradually that the buildings assumed the familiar form of an Oxford Quadrangle. 'The system of this first College seems to have been to keep the buildings separate: the collegiate quire with its vestry on the right and of the courtyard; the refectory [of which the doorway appears to belong to Merton's original plan] opposite to the entrance, with its kitchen and offices beyond; the Master's hospitium on the left; and the scholars' hospitium a separate dwelling also. On the south side of the church there is now a real quadrangle, called Mob Quadrangle, of great apparent antiquity, which nevertheless is the result of a gradual accumulation of buildings. The northern side is formed by a range of chambers of the sixteenth century standing within ten feet of the quire buttresses, but, previous to the building of this range, the northern side was formed by the church itself. The eastern side contains the vestry and the treasury, both of Merton's time: and it is completed by a range of chambers of uncertain date. The west side was at first formed by the wall of the south transept (now covered by the north range), and by part of the library, begun about 1376, long after Merton's time. This library returns and closes the quadrangle on the south.' By the time that the venerable quadrangle was complete, other quadrangles already existed at Oxford and Cambridge. The earlier of them arose from 

1 Willis and Clark, Architectural History of Cambridge, III. p 250.
the loose arrangement of buildings round a Court, but at least the quadrangle was adopted as the natural form in which College buildings might be deliberately planned. The quadrangle of Corpus Christi College, Cambridge, is said to have been the first originally planned close quadrangle. At Oxford the form almost accidentally assumed by the buildings of Merton was deliberately adopted by the Founder of New College, whose buildings served as a model for all the large foundations which were subsequently undertaken."

**Exeter (1314–1316).**

Life of the Founder in Oliver, *Lives of the Bishops of Exeter*, 1861, p. 54 sq. Boase, *Register of Exeter College* (privately printed), Oxford, 1879, with some documents and a Preface which amounts to an interesting College History. There is a second and enlarged edition of this very learned work, without the Preface (Oxford, 1893–4), and another revised edition with the original Preface expanded into an ample ‘History’ but without some of the Latin documents (Oxf. Hist. Soc., 1894). My references are to the first edition. The muniments are calendared in the *Second Report of Hist. MSS. Com.* p. 126 sq. The Statutes of this College were not printed for the University Commissioners.

In the College founded by Walter de Stapeldon, Bishop of Exeter, in or soon after the year 1314, we return once more in some respects to the simpler type of College prevalent at Paris and represented at Oxford by Balliol. The main endowment of the College—consisting merely in two inappropriate Rectories and an acre of land in Cornwall—was vested in the hands of the Dean and Chapter of Exeter, who paid over the revenue to the College. A single scholar served the College as Chaplain and studied Theology or Canon Law: the remaining twelve were all Artists, to be chosen from the diocese of Exeter, and lost their places upon completion of two years’ Regency in Arts. But, though a College of Artists, the scholars

1 Willis and Clark, III. p. 256.
2 *Reg. pp. i. 1.* The first extant ‘Ordinance’ of the Founder is dated 1322 *ib.* p. xl. The Statutes of Sir Wm. Petre give 1316 as the date of the Foundation.
an even fuller autonomy—in everything except management of their property—than other Oxford s. The Rector was elected by themselves, but once only for a year. Stapeldon was a Canonist, is impossible to doubt that he must have got a of this democratic arrangement while studying Bologna or some other Southern University. The hips were filled up by the College itself and were d to natives of the Founder’s diocese, with the on of the Chaplain-fellow, who was nominated by n and Chapter of Exeter¹; an arrangement which ll the last University Commission. The Scholars first quartered in Hart Hall and Arthur Hall, on of the present Hertford College: shortly afterwards ouses were acquired on the site of the present College—a name which eventually superseded the designation of Stapeldon Hall. Although not d with the management of their Cornish property, ge held its Oxford House in its own name, and most fer benefactions were made to the College directly. the Rectorship became a permanent, instead of an office ², and the College was thus practically re-1 in accordance with the now accepted Oxford or an type of College constitution; but it did not fellowships for Theologians (in addition to the 1) till the new foundations by Sir William Petre in

Oriel (1324).

rter of Foundation and Foundation Statutes were withheld fromissioners of 1853, but were privately printed for the Commission am indebted to Mr. Shadwell, Fellow and late Treasurer, for these Statutes and to his transcripts from the College documents. instalments of the results of Mr. Shadwell’s work upon the documents has been given us in his contribution to The Colleges of 1 in the first volume of his Registram Oriens (London, 1893).

¹ In case of disagreement the Chancellor or the University appointed. In other matters the visitation belonged of course to the Bishop of Exeter.
The fifth Oxford College was more important than any of its predecessors except Merton: and its original Statutes are copied almost verbatim from the ‘rule’ of that House. In the year 1324 Adam de Brome, Clerk in the Chancery, Almoner of Edward II, and Rector of S. Mary’s, Oxford, acquired a Hall known as Tackley’s Inn on the South side of the High Street ¹ near S. Mary’s Church: and therein established a ‘College of Scholars in Theology and the Dialectical Art.’ A little more than a year later (Jan. 1, 1325-6), however, the possessions of the College were surrendered into the King’s hands and the College re-established with the King as its nominal Founder—an arrangement which brought the Royal Chancellor into the position of Visitor ². The endowment was partly supplied by the appropriation of S. Mary’s Church, whose services were maintained by the College, and its Choir used by its members ³. A body of Statutes was given to the College by the King in the year of the re-foundation, which was, however, immediately superseded by a code drawn up by the College and confirmed by the Bishop and later by Edward III ⁴. This was due to the necessity of dissociating

¹ As Adam de Brome obtained a Royal Licence to buy a messuage for the College, and Tackley’s Inn was bought, it is probable that this was the actual residence of the College, if it ever came into substantive existence prior to the Royal re-foundation. As to the locality of the College after this. Mr. Shadwell says, ‘It probably was at first established either in S. Mary’s Hall, the Manse or Rectory House of S. Mary’s Church, or in Tackley’s Inn, a large messuage in the High Street, on the site now occupied by the house No. 106.’ (The Colleges of Oxford, pp. 89, 90.)

² A Chapel in the College was built by Richard Earl of Arundel, 1373 (Shadwell, p. 119).

³ The then Bishop of Lincoln, Bergherah, was an adherent of the now triumphant Queen’s party, who used his influence to secure the Visitatorial rights for his See. The consent of the Bishop, which even the Royal
the College from the declining fortunes of Edward II, and Chap. XII, the most important change made by the new Statutes was to substitute the Bishop as Visitor for the King or his Chancellor. The College consisted of a Provost and ten scholars, at least Bachelors of Arts, who, after completion of Regency, were to study Theology, except three, who might be allowed to study Civil or Canon Law. The smaller numbers of the College not calling (as at Merton) for many Deans, the Oriel Statutes provide for only one, who here alone is the second person in the College. The Fellows enjoyed, moreover, still more completely than at Merton the autonomy characteristic of the English College. There being no scholars on the foundation below the degree of B.A., no strong line of demarcation is drawn between Artist and Theological Fellows: and all take part in the election of Warden and the government of the House. Certain functions were, indeed, restricted to a limited number of the senior Fellows, and in many later Colleges the greater part of the ordinary business of the College was performed by some such ‘Seniority’ (to use the Cambridge term); but the choice of a Head and the right of assenting to the use of the common seal were here, as almost always in Oxford, vested in the whole body of Fellows. Even the power of making new Statutes is vested in the Provost and ‘ten or eight senior and discreter Fellows with the approval of the Visitor.’

Two other characteristics of the Oriel Statutes deserve Open Fellow- notice as illustrating how a Founder’s will may modify the whole history of an institution in totally unforeseen ways for centuries after his death. All the original Fellowships at Oriel were unrestricted to any part of England, and there were no ‘boys’ or other inferior foundationers who enjoyed any right or expectation of succeeding to them. Some close Fellowships were founded at later dates: but never more than six or seven. The rest of the Fellowships

Quarter could not dispense with, was not given till after the change. Merton, where however, the Visitor’s consent was not required.

1 This provision is taken from Vol. II (2). N
always remained open to public competition. This peculiarity contributed largely to make an Oriel Fellowship the blue ribbon of University distinction, and constituted it the home first of the liberal movement to which the University owed its intellectual revival, and then of the ecclesiastical movement which has borne so large a share in the re-awakening of the Church of England from its eighteenth-century lethargy. It must not, however, be hastily concluded that local restrictions were always bad. The older English Colleges exhibit (in their original constitution) less local restriction than those of Paris: most county Fellowships are of comparatively late origin and in some cases seem to have been introduced simply to prevent the elections being influenced by a county clique in the College. They certainly tended to check the system of corrupt elections for which open Colleges like All Souls obtained so scandalous a notoriety.

Soon after 1327 the College moved into a new house, presented to it in that year by Edward III and known as La Oriole, a name which has now superseded its official title, the House of the Scholars of S. Mary in Oxford¹. The old Rectory of S. Mary’s Church was let to a Master and became an independent Hall, though closely connected with Oriel, till once again merged by recent legislation in the College originally (it would seem) partly or entirely housed within its walls. Besides its buildings, S. Mary’s College received from Edward III another addition to its property in the ancient Leper-hospital of S. Bartholomew, the remaining buildings of which may still be seen a few hundred yards off the Cowley Road, a mile beyond Magdalen Bridge².

¹ It was also known as the King’s Hall. ‘La Oriole’ was probably occupied by the College in 1309 (Shadwell, p. 91).
² For its history, see Wood, City, III. p. 504. The College was afterwards accused by the Hospital of stealing from it the skin of S. Bartholomew and other relics for the enrichment of S. Mary’s. Inquisition of 14 Rich. II. n. 138 (Twyne, II. f. 45).
QUEEN'S (1341).


The Queen's Hall, now known as Queen's College, derived its name from Queen Philippa, Consort of Edward III, by whose Chaplain, Robert de Eglesfield, it was founded in 1341. It was placed under the perpetual patronage of the Queens of England, a compliment which does not appear to have won for the College much material assistance from its original recipient, though many subsequent Queens Consort have been among its benefactors. The Statutes of this College are not based upon the 'rule of Merton,' but are of a far more elaborate character, and aim at regulating the whole domestic life of the Society down to such minutiae as the composition of the College pottage 1, and the washing of the Fellows' heads 2. In many respects the new departure now taken was followed by later College-Founders: other provisions represent the somewhat eccentric whims of the Founder of Queen's.

The original Society was intended to consist (when the Statutes. state of its revenues should permit) of a Provost and twelve Scholars, in imitation of our Lord and his Apostles, who were to sit on three sides of the high table only in imitation of the conventional representations of the Last Supper (a custom still observed at Queen's) and to wear blood-red or purple robes in remembrance of Christ's Passion. The Fellows—these are the first Statutes in which the term Socii is the ordinary technical name of the full members of the Society—are still summoned together to dinner by the

1 'Item quolibet die fiat potagium congruum et competens, in aliquo vaso ad hoc specialiter ordinato, de faba vel pissa vel utrisque mixtis, de mensura dimidii busselli, Londoniae, farina avenarum vel hordei competenter immixa, de communi emptis; et singulis diebus anni ad portam cum residuo fragmentorum pauperibus erogetur.' (Statutes, p. 33.)

2 'Lotrices etiam camarae scholasticorum vel habitantium quorumcunque in dicta aula non intrent, sed per eorumdem barbitonsorem capita corundem laventur.' Ib. p. 33.
§ 6. Chap. XII, sound of a trumpet; in this and other details the Court Chaplain is very anxious to have everything done in Court fashion (curialiter). His scholars may talk French instead of Latin at table. Eglesfield is clearly desirous that his scholars shall live in rather better style than the members of previous foundations. Whereas at Oriel, founded but fifteen years before, the Scholar's commons were limited to a shilling a week, rising when the price of corn was high to fifteen-pence, the Fellow of Queen's was to receive a table-allowance of not less than eighteen-pence a week, which might rise to two shillings at the discretion of the College. The provision for servants is also peculiarly ample. The establishment was to include a clerk of the treasury (probably one of the Chaplains\(^1\)), caterers and dispensers, a miller to grind the College corn, a baker, a cook, and a scullion\(^2\), a brewer, a porter-barber, a head- and under-gardener, and a night-watchman\(^3\), besides ordinary servants.

Chaplains. Another matter in which the Statutes of Queen's mark a stage in the development of the College system is the increasingly ecclesiastical character of the foundation. A staff of thirteen Chaplains was to be maintained for service of the College Chapel or impropriated Church, if such a Church should ever be acquired in the immediate neighbourhood of the College\(^4\). Moreover, these are the first Statutes which expressly require the Fellows to take holy orders\(^5\). Here even the Canonists are required to

\(^1\) 'Unum presbyterum, clericum thesaurarii nominandum cum provisoribus et dispensatoribus.'

\(^2\) 'Unum varcinem coquinæ.'

\(^3\) The duties of this official are peculiar. He is appointed Statutes, p. 39\(^1\) because 'necessariae sunt nocturnae vigiliae, pro vitando ignis periculo [it is a remarkable fact that there have been more fires at Queen's than at any other College], pro excluding latronum incursu, pro variis etiam insolentiiis explorandis . . . necnon pro horis et partibus noctium certius cognoscendia.' The latter function was to be performed by 'noctis temporibus fistulans con-suets, ut per hoc magis excitetur et sciant tam scholare quam etiam servientes quando melius quiescere debeant et quando melius laborare.' A night in medieval Queen's must have had its horrors!

\(^4\) The Founder probably had his eye upon S. Peter's-in-the-East.

\(^5\) Hitherto the only obligation to take orders arose from the obligation to take theological degrees.
take holy orders within a year\textsuperscript{1} and Priest's orders within three years.

Besides the twelve 'true and perpetual' Fellows, all of whom were to be Theologians or Canonists, provision is made for the maintenance of twelve 'poor boys.' Their position was very much like that of the 'parvuli' at Merton, but they enjoyed no positive claim or even preference for vacant Fellowships, though eligible for them. For their instruction an Artist and a Grammarian are to be provided: while the Chapel clerks are to instruct them in plain-song\textsuperscript{2}. They are to be daily opposed or 'posed in Grammar and Dialectic by the Fellows at dinner before sitting down to their own table. They are to earn the 'alms' that are doled out to them by singing in Chapel, and by waiting at table on Sundays and Festivals\textsuperscript{3}. Besides the Chaplains and the 'poor boys,' thirteen poor men and women are to be daily fed at the side tables in hall: and broth is to be distributed daily at the College gate. Altogether in Eglesfield's Statutes the charitable and religious aspect of the College decidedly predominates over the scientific. Next to the desire to provide for the future of his own soul and those of his benefactors and relations, it was the Founder's aim to strengthen the Church in the wild regions of Cumberland and Westmorland: natives of those counties and of parishes whose tithes were improperly paid to the College enjoyed a preference, though by no means an exclusive right, in the election to vacant Fellowships. The Archbishop of York, in whose diocese Visitor.

\textsuperscript{1} If illegitimate they are given three years, perhaps to allow time to procure a dispensation. The provision is remarkable, as many College-statutes expressly require legitimate birth. In some or all Universities—certainly at Paris—it was necessary even for graduation.

\textsuperscript{2} As nothing is said of their attending Lectures in School Street, and the 'Artist' himself is not required to be a Master or even a Bachelor, it is not clear whether the boys were even to keep terms in the University.

\textsuperscript{3} They are to wait only \textit{cum curialitatis honestas requirit} (p. 89). The name 'Taberdar' (originally given to these boys, but afterwards apparently confined to those of them who were B.A.) was derived from the fact that the tabard was the ordinary dress of Non-Masters.
Chapter XII, the chief impropriated benefice was situated, became visitor, and the College has always retained the character of a North-country foundation.

Canterbury (1362).

The documents relating to this foundation are calendared in Fifth Report of Hist. MSS. Commission, p. 450 sq. Islip's Statutes are printed in Wilkins, Concilia, III. 53 sq. Other notices occur in Lilae Cantuarienses, ed. Shepard, London, 1887-9, in whose preface (II. p. xxxv. sq.), the history of this College is fully dealt with. Cf. Wood, City, II. p. 275.

Canterbury Hall, founded by Simon Islip, Archbishop of Canterbury, in 1362, is an earlier instance of the attempt successfully made by Bishop Hatfield of Durham to unite Regulars and Seculars on the same foundation. Its failure was no doubt due to the fact that the Seculars and Regulars were here placed on a footing of entire equality, except, indeed, the Chaplain who—as was usual with such 'inferior clergy'—was required to wait on the Fellows and then dine at the second table. There is nothing in the Founder's Statutes to appropriate the College or any of its places to monks: on the contrary, there is the usual provision that a fellowship shall be lost by entering 'any religion.' The Warden was, however, to be chosen by the Archbishop out of three persons presented to him by the Warden and Convent, and it appears that the first Warden was actually a monk of Canterbury. But in 1365 the Archbishop changed his mind, turned out the monk Henry Wodhall from the Wardenship and put in a secular Master, one John Wycliffe, by some identified with the Reformer. 1 An appeal to Rome followed, which was

1 Lambeth Reg. Islip, ff. 19a b, 306 b. This John Wycliffe is identified with the Reformer by the Monk of S. Alban's in Chron. Angli. (ed. Thompson, 1874, p. 115), and by Wodeford in Wycliffe's lifetime (ap. Shirley, Fasc. Zian, p. 517), but the balance of evidence seems to me to point the other way. There are arguments for the identification in Church Quarterly Rev., Vol. V. p. 129 sq. Against it see Shirley, I.e., Lother, Life of Wycliffe, translated by Lorimer, new ed., p. 109 sq.; and Poole, Wycliffe and the Movements for Reform (1889), p. 68. Wycliffe alludes to the dispute about the College in De Ecclesia, ed. Louneth, p. 871.
THE COLLEGES OF OXFORD.

... decided till 1371, after the accession of a new Archbishop, Chap. XII, enedicitle Simon Langham, by whose favour the... § 6.

of Canterbury got a decision assigning not merely ardenship but the whole College to members of their body 1. In this position the College remained till the aution, with the addition of certain secular servitorships he model of those in Durham College founded by ishop Courtenay 2. Its memory still lives in the bury Gate and Quadrangle of Christ Church.

NEW COLLEGE (1879).

old life of the Founder (by Martin) Historia Descriptio completens res gestas Guillelmi Vicami, Londini, 1597, contains little information about the Colleges. There are a few documents in the two scholarly Wykeham by Bishop Lowth (and ed. London, 1759), and G. H. y (Winchester, 1887 and 1893). Walcott, William of Wykeham Colleges (Winchester, 1882), still leaves something to be desired as work upon Wykeham and his foundations. Carta de fundatione Maria Wynton, in Oxon, (privately printed in 1879). There is a MS. sbed to, but really only corrected by, Warden Chandler in the college Library. For some other documents, cf. Ogle, Letters d to Oxford, Nos. LV, LX, App. No. IV. Cf. also Harpsfield, Anglicana Ecclesiastica, Duaci, 1622, p. 522 sq., and Second Report of SS. Conv. p. 123.

as often been observed that the great foundation of m of Wykeham. Bishop of Winchester, marks a new in the history of College-foundations. Yet it is not so in any one distinctly original feature as in the greater of the whole institution that New College can justly d to represent a new idea. In many of its features ham’s design was but a more splendid realization of eal which had floated before the mind of Robert

Cant. II. ed. Sheppard, p. 504; Higden, Polychron-continuation, ed. Lumby, 65. If the decision was as Islip’s Statutes there must been a violent perversion ce. But Courtenay (Lit. p. xxx) cites these Statutes citig that the Warden shall monachus ecclesiae nostrae.' Mr. Sheppard thinks that Simon Langham issued fresh Statutes which Courtenay mistook for those of Islip, 'since it would be unreasonable to charge Archbishop Courtenay with wilful misquotation.' It is equally possible that a garbled copy was produced by the monks of Canterbury.

Eglesfield, the Founder of Queen's, who had probably hoped that a large extension would one day be given to his foundation by Philippa or one of the future Queens Consort of England under whose special protection he had placed the College; and he contemplated the possibility of the increase of both the Fellows and Poor Boys till the latter equalled in number 'the seventy-two disciples.' In these hopes, however, he was disappointed, and it is doubtful whether the funds of the College at first sufficed even for the maintenance of the elaborate establishment provided for in the Statutes. What Eglesfield proposed, Wykeham accomplished.

Wykeham's New College at Oxford appears to have entered upon a de facto existence not later than 1375, the Scholars being lodged in Hart Hall and other adjoining buildings: but the foundation-charters were not granted till 1379. In 1386 the Society entered in solemn procession into the splendid habitation which their Founder had been preparing for it in an unoccupied corner within the walls of the town. To this year also belongs the earliest extant draft of the Founder's Statutes: in their final form they date from 1400.

The originality of Wykeham as a College-Founder is almost eclipsed by his originality as the Founder of the first English public-school. There had been indeed Colleges for Grammarians only at Paris, and Grammar Colleges were not unknown in connexion with great Cathedral Schools elsewhere. Winchester College was the first elaborate foundation for the purely grammatical education of boys which had yet been established out of connexion with either a Cathedral or a University. In the

1 Eglesfield passed his old age in the College of his foundation, and appears to have so completely impoverished himself by his munificence that his personal expenses—down to the cost of shoeing his horse—had to be defrayed by the College. Ingram, i. p. 3.

2 Lowth (1759, pp. 184, 185; Moberly, p. 103.

3 Lowth, pp. 189, 190. The Papal Bull confirming his Statutes and exempting his College from all ecclesiastical jurisdiction, except that of the Bishop of Winchester, is dated 1398 (ib. p. 194).
place of the seventy-two young scholars whom Egles-
field had thought of establishing in his Oxford College,
Wykeham more wisely provided for his seventy young
scholars a separate College and School at Winchester.
From the scholars of Winchester and from them only—
with a preference for certain dioceses—were to be chosen
the seventy scholars of 'S. Marie Collode of Winchester in
Oxford.' On arriving at Oxford the boy, already not less
than fifteen years of age, was to be ready to enter at once
upon the course in Arts as a probationary scholar. After
two years' probation he became a full Fellow. As might
be expected in so young a Society, only the officers—the
Sub-Warden, five Deans, and three Bursars, together with
a certain number of the seniors, varying in different cases,
but usually eleven—were associated with the Warden in the
government of the House: but the youngest full Fellow—
even below the degree of B.A.—was accorded the essential
right of full membership in an English College, a vote in the
election of Warden. In the conduct of its legal business
a prominent share was assigned to the senior Canonists
and Civilians. Ten Fellows were to study Canon, and ten
Civil Law: the rest were to be students, first of Arts, and
then of Theology. Artists were required to take Sub-
deacon's orders within two years, and Priest's orders in
the following year: in the case of Civilians and Canonists
the step was postponed. Two Fellows might be specially
allowed to study Medicine, and two others Astronomy:
even these were required eventually to proceed to Priest's
orders.

Among the other original features of the New College Tutors,
which give Wykeham an important place in the history of
education is his provision for the tuition of his scholars. It
has been already observed that the resident Head of
a Parisian Arts College was a Regent whose primary function
was to supplement the education of the Schools by private
instruction. At Oxford the primary function of the Head

1 In the case of Medici, 'post-
triennium,' since a Priest was for-
bidden to be a Regent in Medicine.
was to manage the property and rule the House: in the earlier College Statutes no provision is made for the education of the Scholars except in the case of the 'boys' of Merton and Queen's. Wykeham's Statutes supply this deficiency, not by entrusting the educational supervision of the younger members of the Society to the Head as at Paris, or to a single Artist as at Queen's, but by dividing it among the older Fellows, who draw in return an additional allowance from the College funds besides what they may have received from individual pupils. At present, of course, this private teaching was merely supplemental to the 'ordinary' lectures of the public Schools. But nevertheless by these provisions Wykeham became the founder of the Tutorial system destined eventually to extinguish the lectures of the Regents in the public Schools and in time to reduce to insignificance those of the few salaried Professors in the Faculty of Arts whom Oxford gradually acquired.

We have already noticed the contrast which is presented by the meagreness of the College allowance at Paris and the comparative liberality of the Oxford Founders. To some extent the tradition was begun by Walter de Merton, and this tendency is still further developed at Oriel and at Queen's, and still more at New College. The table allowance is here, indeed, smaller than at Queen's. But the deficiency is amply compensated for by the increased scale of the extra allowance to the senior Fellows for their services as Priests, Tutors, and Officers. Still more striking is the contrast between the magnificent and still extant buildings of New College, and the scanty remains which now survive

1 Statutes, p. 54. This tuition lasted for three years.
2 At Queen's the Fellows were to be much better fed than the stipendiary Chaplains and poor boys. At New College Fellows, Chaplains and Scholars alike are to receive 10d. weekly in plentiful seasons, which might be increased 'necessitate poscente' to 16d. in times of scarcity, and to 18d. when corn was at more than 2s. per bushel. At the same time it is provided that the members of the foundation are to be served 'habendo respectum debitis ad status et gradus...sequatur communarum...non obstante.' Thus practically the Theologian of New College might dine better than the Theologian of Queen's.
hier collegiate dwellings. Of all the College buildings in Oxford before the foundation of New College the stone remains beyond the exquisite Chapel of and a small part of its buildings: and these were finished till after its Founder's death. At New College, founder, who had been introduced to his Sovereign's favour by his services as an Architect and Surveyor to Royal works, was at least as much interested in architectural designs for his foundation as in compilation of its Statutes, and the buildings remain today, in their main outlines, exactly as the Founder intended them to be. Whatever may be thought of originality as an educational reformer, Wykeham unquestionably the creator of English Collegiate architecture. The buildings of New College as a whole by a complete and original architectural design, of the greatest architect of the day. New College Chapel, still beautiful with the cold beauty of its proportion, once splendid with the richest products of medieval sculpture and painting and glass-staining, all been called Merton Chapel idealised. Though bays of its unfinished nave were then standing, in Chapel perhaps suggested to Wykeham's mind the of a Choir with a nave stopping short at the transepts, most appropriate form for a College Chapel, which d only a spacious Choir for the choral masses andical hours, and room for a few side altars at which vs and Chaplains might say their private masses. Adg was a burial-ground surrounded by a cloister which chedral Church might envy, for daily processions aplains and Choir 'according to the use of Sarum.'

---

The text is probably attacked on this Wycliffe in his Tract *Why wists have no Benefices*: 'And wolen not presente a clerk kunnyng... but a kechen a penne clerk, or wis of e of castelis or worldly doyng, for he kenne not rede wel his sauter.' *Eng. Works of Wyclif*, ed. Matthew (Early English Text Society, 1890), p. 246.

2 It is now regaining some of its ancient ornament.
CHAP. XII, § 6.

In an angle of the town wall the College buildings cut off an ample garden for the recreation of the scholars, or for the supply of vegetables to the kitchen. For the first time perhaps in the history of Europe a home was provided in which secular priests might be as well housed and enjoy almost as complete seclusion from the outer world as the novice in an old Benedictine Abbey.

The Bishop had once, it would appear, thought of founding a Monastery; and he is the first English College-Founder who seems to have conceived the idea of making a College not a mere endowed lodging-house for students, but a house of community which could vie in the splendour of its buildings and the dignity of its corporate life with the great capitular and monastic establishments. In some of the earlier Colleges, the Head was only allowed one room in the College, and was to dine with the Fellows in the common hall. The Warden of New College was to live like an Abbot in a house of his own within the College walls, with separate hall, kitchen, and establishment. His salary of £40 was princely compared with the 40s. assigned to the Master of Balliol, or even the 40 marks of the Warden of Merton. Instead of the jealous provisions against burdening the College with the entertainment of guests which we meet with in the Statutes of Parisian Colleges, ample provision is made for the entertainment of important strangers by the Warden in his own house, or in his absence by the Sub-Warden and Fellows in the great hall, as they would have been entertained at the Abbot’s or Prior’s table in a wealthy Benedictine Abbey. It had been recognized, indeed, by the Founder of Peterhouse at Cambridge, that it would be ‘indecent’ for the Master to go a-foot, and productive of ‘scandal to the

---

1 This seems to be a fair inference from Statutes, § 68.
2 In some respects an example had been set by the College of Navarre at Paris, whose Chapel was only dedicated in 1373. It is quite likely that Wykeham may have been to some extent influenced by this example.
3 The Warden’s cook is a man of sufficient social position to dine with the Fellows; his under-cook dines with the servants. Second Report, p. 134.
' for him to ride a hack; he was therefore allowed to use of his own. But the Warden of New College was allowed six horses at his disposal for himself and his servants when he went on a progress round the College or otherwise. The most important of the earlier Colleges had made use of an impropiated Church for their services to say masses for the Founder's soul, and there were also services assisted in surplices at the Sunday and Holy Days; though little Oratories had been established Balliol and elsewhere. Thus the Warden and Fellows of Merton occupied the Choir of the unfinished Chapel of S. John the Baptist; Oriel College made use of S. Mary's. In the same way, at Exeter, Michaelhouse used S. Michael's Church; and S. Benet's. At New College the Chapel forms an essential part, indeed the most prominent feature, of the design—a larger, richer, and more important than the common hall towers above the chambers of the individual Fellows.

Prominence and splendour of the Chapel in the new College is indicative of something more than the completeness of the Founder's architectural design: it represents the increasing prominence of the religious—or perhaps we may say ecclesiastical—aspects of the College as an institution. Wykeham had shared the feeling predominant among his contemporaries against the monks, so far as to make his own life purely secular. But this feeling arose rather from the almost universal unfaithfulness of religious to their rule than from any want of sympathy with the monastic ideal itself. Wykeham, the leader of the reform party opposed to Wycliffe and his patron, and one of the greatest of living pluralists, saw that he could better serve a revival of the old Church-system by splitting it out into the world a continual succession of trained ecclesiastics than by filling some secluso


2 The quadrangle was then a storey lower than at present.
chap. xi, valley with the dwellings of contemplative recluses.
§ 6. All medieval charity was largely inspired by the desire of providing a perpetual succession of spiritual persons pledged to pray for the souls of their benefactor and those in whom he was interested. To pray for one's benefactors was the first duty of medieval piety. But a body of secular priests could sing masses and canonical hours just as effectively as monks and could in general be provided at a much cheaper rate, while the actual members of the Society were set free for the active labours of the School, and hereafter of the world. 'S. Marie Colledge of Winchester' was in fact a seminary for ecclesiastical students combined with a College of secular priests bound to the incessant routine of masses and canonical hours.

But even the scholars were bound to attend mass daily and to make some return for their Founder's liberality by repeating the Angelical Salutation fifty times with a 'pater' after every five: while in the great hall daily after dinner and supper 'De Profundis' was said with prayers for 'the repose of the soul of William of Wykeham.' These requirements are the more remarkable when contrasted with the conspicuous absence of provision for college worship in the earlier college-foundations except on Sundays and Saints' days. In the Statutes of the College of Harcourt, which were drawn up by the Founder's brother, the Bishop of Coutances, in 1311, we even find Artists expressly exempted on 'legible' days from attending the daily mass, and daily attendance at Chapel is clearly not contemplated by the earlier Oxford Statutes. Now, in the reaction against Wycliffism, the religious wants of the students receive more attention: though the religious

---

1 So Chaucer's 'Clerk of Oxenforde':
"bisely gan for the soules praie
Of hem that yaf him wher-with to scoleye.'

Prologue, ll. 393-4.

2 A disposition on the part of Church-benefactors to found collegiate Chapters of secular Priests instead of Monasteries is a noticeable feature of late medieval times.

3 The hymn Te de Profundis is or was a few years ago still sung in the College Hall of Winchester after dinner on certain days.

4 Buteus, IV. 155.
THE COLLEGES OF OXFORD.

The duties enjoined upon them seem to be imposed more for the good of the Founder’s soul than their own: and there is as little provision for ‘religious instruction’ as in other pre-reformation Statutes. Still Wykeham may be allowed the credit of having been the first College-Founder who required his scholars to say their prayers morning and evening and to go to Chapel daily.

A word must be said as to the origin of one most singular privilege which Wykeham is supposed to have acquired for his Society—that of being admitted to their degrees without any ‘grace’ of Convocation after examination by their own Masters alone. This privilege is said to have been obtained by an agreement between the Founder and the University. But there is no evidence of the existence of any such agreement beyond the statement of Archbishop Bancroft in 1607 that the privilege had been enjoyed for more than 200 years 1. The origin of this New College privilege being veiled in impenetrable obscurity, I venture to suggest the following hypothesis. Since no such document is to be found in the well-kept Muniment-room of Wykeham’s College, it is almost inconceivable that it can have originated in any express grant of Pope, King, or University. The only peculiar regulation on the subject of degrees which we meet with in the Founder’s Statutes is the prohibition (except in certain specified cases) of suing for graces or dispensations from the time or exercises required by the University Statutes 2. Now it has been shown in another section 3 that originally no ‘grace’ was needed except where some of the statutable conditions were not performed, and it has been suggested that the grace gradually became necessary in all cases in consequence of the growing laxity in granting dispensations from these

---

1 So Ayliffe, I. pp. 315, 316. Selectors of New College are still exempt from the ‘supplication’ for their degrees. But, as no one can now be a Fellow before taking or at least passing his Examinations for B.A., the distinction has become purely formal.

2 Statutes, p. 49 sq. I have already put forward this view in my chapter on New College in the Colleges of Oxford, p. 169, from which I have also borrowed some other paragraphs.

3 Above, pp. 447–449.
conditions. To New College men alone was it forbidden
to avail themselves of such dispensatory luxuries. In
course of time it is probable that this abstention on the
part of Wykehamists from the 'supplications,' which had
come to be regarded as essential to all other candidates,
was interpreted as a special privilege dating from a time
whereof the memory of man ran not to the contrary.
Moreover, Wykeham's Statutes did not merely forbid
exemption from the University's tests of competence:
they imposed an additional test from which other can-
didates were free. They required an actual Examination and
that too at a time when the University can hardly be said to
have imposed an Examination at all in the modern sense.
Hence, when the Laudian Statutes introduced a University
Examination, it was supposed that Wykehamists, who
demanded their degrees as of right instead of supplianting
for them like other candidates, had the same mysterious
claim to exemption from the new, that they had long
enjoyed from the old, requirements of the University.
Hence they continued to be examined by their own
Examiners only. It is a singular illustration of the irony
of History that Wykeham's anxious care for the discourag-
ment of idleness in his Scholars should have grown into
the means of increasing it in their successors. It is true
that the Laudian Examination, even before it degenerated
into a mere farce, would have been no formidable ordeal to
a College recruited from Winchester. It was only from
the institution of Honour Examinations at the beginning
of the present century to the voluntary resignation of the
so-called privilege in 1834 that this curious historical acci-
dent became the means of excluding the noblest of medieval
foundations from all participation in that revival of
industry which the new Examination Statute brought
with it.

1 'Si judicio Custodis, Vice-
Custodis, duorum Decanorum . . .
ac sex aliorum seniorum . . . exami-
natus, habilis, sufficiens et idoneus
repertus fuerit,' l.c. See above,
pp. 443-444.

2 Laudian Code, ed. Shadwell,
p. 88.
THE COLLEGES OF OXFORD.

LINCOLN (1429).

Account of Lincoln by the Rev. A. Clark in *Colleges of Oxford* (pp. 170-178), more than usually original and valuable piece of College history, to be following paragraphs owe everything but what can be gathered of printed Statutes. *Second Report of Historical MSS Commission*.

Richard Fleming, the Founder of Lincoln College, was one of the Wycliffite leaders to whom the excesses of his followers or the prospect of preferment or the slightest conservatism of maturer years had revealed the evil of their youthful ways. His timely tergiversationwarded by the Bishopric of Lincoln: and the College he founded in 1429 was specially for the benefit of the Diocese whose name it bears and for the defence of the public Faith against the heresies from which the Founder had successfully emancipated himself. An oath against error was exacted of all its Fellows and in other ways the stistical character of the foundation is prominent. Three parish churches—All Saints', S. Michael's, and St. Mildred's—then comprised within the narrow limits of the street were appropriated to a College to be styled College of All Saints of Lincoln, and were to be held by the Fellows themselves with the assistance of Chaplains.

The three Churches were in fact united as a sort of Collegiate Church under the government of a Rector and Fellows. The whole of the original endowment of the College was supplied by these appropriations: the Church of St. Mildred was eventually destroyed, making way for some of the buildings of Exeter College.

The Founder, dying little more than a year after the formal foundation, left his College in a very incomplete condition. A Rector, but no Fellows and no Statutes: and the buildings had only been begun. The erection of the Hall,

---

1 Rot. Pat. 6 Henry VI, p. 1. The *Praefatio* of the Founder, and *Prosimium* of the second Rector, Rotheram.

2 A Rector Chori was annually to be appointed for both All Saints' and S. Michael's. The College attended All Saints' on Sundays.

3 II (2).
CHAP. XII, Kitchen, and Library (now the Sub-Rector's room) and the Chapel (now the Senior Library) by John Forest, Dean of Wells, has procured for him the position of Co-founder, and the College gradually grew under the hands of successive benefactors, as was often the case with Colleges scantily provided for by their original Founders. The title of 'second Founder' is claimed for Thomas Rotheram, Bishop of Lincoln, who completed the front quadrangle by building its southern side, and increased its endowments both by impropriations and by actual gift, making up the number of its Fellows to twelve. It was, moreover, by Rotheram's influence that the College was extricated from a legal embarrassment which at one time threatened its very existence. Henry VI's original Charter of incorporation had been superseded, upon the deposition of that monarch, by one from Edward IV in 1461-2. Even then the College had some difficulty in securing its endowments against rapacious adherents of the new dynasty, and about the year 1474 it was discovered by the covetous ingenuity of interested persons that the draughtsman of Edward's Charter had omitted after 'Rector and Fellows' the words 'and their successors.' It was now suggested that on the death of the then existing Rector and Fellows the property had lapsed to the Crown—an interesting indication of the growth of stricter views as to the creation of corporations with perpetual succession than had existed at a time when Societies like the University itself assumed to themselves the right of holding property without any Royal incorporation at all. This legal defect was in 1478 cured by the issue of a new Charter.

The College owes its first Code of Statutes (1478) to Rotheram. They exhibit no feature of special interest. All the Fellows were to be Masters (or at least Bachelors) of Arts on election, to take Priest's Orders, and (with the exception of one Canonist) to study Theology. Both Fleming and Rotheram were natives of York and Bishops of Lincoln, and the medieval Fellowships were divided between their county and their diocese.
THE COLLEGES OF OXFORD.

ALL SOULS (1438).

ED. BURROWS, Worhties of All Souls, Oxford, 1874: Catalogue of
Worhties of All Souls' College, ed. Martin, London, 1877: Duck, Vita
nobile, Oxoniæ, 1617.

The next two Oxford Colleges—All Souls and Magdalen—
empathically daughters of New College. The
ter of All Souls began life as a Fellow of New
: the Founder of Magdalen had been Head Master
chester, and Wyckham's influence is obviously dis-
the whole plan of the two foundations, in
position of their Statutes, and in the architecture
buildings. In 'the College of the Souls of all
ful departed,' founded in 1438, the ecclesiastical
is even more prominent than at New College.
college was designed to pray for the souls of
the Duke of Clarence, and the Englishmen who
the French War, which is believed to have been
inspired by its Founder, the lawyer-diplomatist-
s are, indeed, provided to conduct the College
, and the Fellows are not bound to attend the daily
but the daily prayers exacted from each Fellow
Founder and the souls for whose good he had built
lege are longer and more elaborate than at New
. The endowments were largely supplied by the
ed property of the alien priories bought by the
shop from Henry VI, who became the nominal
r of the College. All Souls was the first College
at Oxford by a great ecclesiastical lawyer: and
portion of law-students to Theologians is natu-
ge. The College was to consist of twenty-four
or Theologians and sixteen Jurists: and the
are carefully designed to maintain the balance
the two elements in the College. On a vacancy
Vardenship, for instance, a Jurist and an Artist or
ian are to be presented to the Archbishop of
§ 6. Canterbury as Visitor, and he is to choose freely between the two. All the members of the foundation (except the Chaplains) were to be of three years' standing in the University on election, and were to become full Fellows after a year's probation. Alone among the Colleges of Oxford, All Souls still consists (but for four Bible-clerks) exclusively of Fellows without either scholars or non-foundation members\(^1\); and at all events serves the function of reminding us that in their origin Colleges were designed to be primarily bodies of students and not bodies of teachers\(^2\).

**MAGDALEN (1448).**

**Budden, Vita Gulielmi Patten, Oxonie, 1602**: **Chandler, Life of William Waynflete, London, 1811**: **Bloxam, Register of Magdalen College, Oxford, 1833**, &c.; **Macray, Notes from the Muniments of Magdalen College, Oxford, 1832**: **Fourth Report of Hist. MSS. Comm. p. 468 sq.** The Register unfinished by Bloxam is now being continued by Mr. Macray in a New Series, of which vol. I has appeared (London, 1894.)

The Founder of the last Oxford College which falls within our period was William Patten, known, after his ordination, from his native place as William of Waynflete. When the first steps were taken towards the foundation of a College, he had just been consecrated Bishop of Winchester\(^3\). The Royal Licence for the foundation of S. Magdalen

\(^1\) Other than the probationers who are styled 'Scholares' in the Statutes. The existing four Bible-clerks of All Souls are not provided for by the original foundation. The Bible-clerk was originally a poor scholar who read the Bible during dinner, and in many cases also waited on the Head or Fellows. At All Souls the Statutes (p. 27) provide for 'unum clericum seu alium servientem honestum qui sibi in mensam (sic) in aula et camera sua alisque locis debite ac diligentius serviet,' who very possibly acted as 'Lector Biblia.'

\(^2\) The peculiar history of this College has been partly due, it would seem, to the Founder's omission to fix a definite property-limit, though all except Founder's kin, or candidates from the College estates, were to be 'pauperiores et indigentiores.'

\(^3\) It seems to me misleading to say (with Mr. Wilson in The Colleges of Oxford, pp. 234-5) that the foundation of 1448 was a Hall, and that in 1456 Waynflete 'conceived the idea of improving his foundation at Oxford, by converting it from a Hall into a College.' Every medieval College was frequently called an *Aula* and the foundation was as much a College in 1448 as in 1456. The later Magdalen Hall can claim no continuity with the foundation of 1448, except that it occupied the old premises when deserted by the College.
Hall for a President and fifty Fellows was granted in 1448: Chap. XII, and the new Society was promptly established in some halls bought by the Founder on the South side of High Street, between University College and the present Botanic Garden. In 1456, however, Waynflete obtained from the King a grant of the ancient Hospital of S. John the Baptist, situated upon the Cherwell bank, just outside the East Gate of the City; and the Royal Charter for a new College to be built upon the site thus acquired was granted in 1457. The actual deed of foundation is dated in 1458, when the Bishop was Lord High Chancellor of England. It is worthy of note that all the greater medieval Colleges at Oxford were founded by Bishops who were also Chancellors. No considerable portion of the large fortunes accumulated by English Chancellors has ever been spent upon any public object since Chancellors ceased to be Churchmen, and became married men.

William of Waynflete may almost be said to have passed his life under the shadow of the great monuments of Wykeham's genius. There is, indeed, no evidence that he was on the foundation of New College before his appointment, but he owed his first preferment—the Mastership of the Hospital of S. Mary Magdalen at Winchester—to Wykeham's patronage. As first Head Master and afterwards Provost of Eton (itself an imitation of Winchester), he lived under the Royal Castle at Windsor, which owed so much to Wykeham's architectural skill: he ended his days as Bishop of the Church whose nave the Architect-bishop had re-created. His foundation at Oxford shows how much he had imbibed alike of the architectural taste and of the educational zeal of his great predecessor. Both the institution and its lovely home reproduce, on a smaller and compacter scale, almost every feature of Wykeham's grander work. It is significant of coming changes that the College was partly founded out of the property of monastic Houses which the Bishop obtained leave to suppress—the
Chap. XII, § 6.

Priorities of Sele in Sussex and Selborne in Hampshire. Here Wolsey, whose career began with a Fellowship at Magdalen, may have meditated on the advantages of a larger extension of the same policy.

Waynflete—perhaps the first of the great Schoolmaster-Bishops who have played such a conspicuous part in the history of the English Church—was as wisely solicitous as the Founder of the oldest public-school for the proper grammatical preparation of his scholars. But his scheme was to provide for both Grammar and Arts within the same institution. The forty Fellows were to be at least B.A. on their admission to their probationary year, and were to proceed to degrees in Theology or (with special leave) in Law or Medicine. But a younger body of thirty Foundationers—called Demies (demi-socii) from their receiving half a Fellow’s commons—were admissible at the early age of twelve, and were kept at School under the Grammar-master (Informator) of the College until considered by the President and Master fit to enter upon the University course in Arts. The approaching Renaissance was heralded in England by a humble movement of purely indigenous growth in favour of an increased attention to Latin Grammar. The movement had already begun at New College, under the scholarly Warden

1 Report, p. 459.
2 There is a whiff of the Renaissance about the very words of the Statute (p. 16), 'cirea grammaticalia et poemata, et alias arces humanitatis diligentem insistent et operam dabunt, quod non solum sibi ipsi proificere sed et alios instruere ac informare valeant.'
3 The new Method seems to have been originated by the first Headmaster, John Anwykyll—a married man by the way—who taught it to his usher and successor John Stanbryge or Stanbridge, and to Robert Whittington, each of whom wrote numerous simplified Grammars; probably also to John Holte, author of Las Puororum (1497) dedicated to Card. Morton. (Chandler, pp. 253, 254: Bloxam, III. pp. 7-85). It was at Magdalen too that Colet learned the method which he embodied in his 'eight parts of speech,' which he dedicated to the first High Master of his School at S. Paul's, the famous Lily, a pupil of Whittington, to whose Syntaxis Wolsey wrote a prefatory epistle (Bloxam, I. p. 1.)
4 It may be remarked that the Choristers lived in the Fellows' chambers and waited on them. They waited in Hall down to 1850. Bloxam, I, p. xiii.
Chandler, and the Magdalen College Schoolmasters, Stanbridge and Whittington (the first a New College man), authors of the first Latin Grammars which drove Donatus and Alexander de Villa Dei out of English School-rooms, did something to promote its progress: while the Headmastership of the same School formed the first preferment of a patron of Humanism no less illustrious than Cardinal Wolsey. Nor were the labours of these eminent teachers without results for their own immediate pupils. Magdalen—the College of Grocyn (who received his earliest education at New College) and of Colet, the temporary abode of Erasmus—was essentially the home of the Classical Renaissance in Oxford; a strange contrast to the Magdalen of Gibbon's Autobiography, or of the still later period in which its Fellowships had become the wealthiest in England.

Waynflete showed the wisdom of the practical Schoolmaster by giving his Deanes only a preference, and not an actual claim to vacant Fellowships: and it is perhaps due to his sympathy with Masters and Tutors that he abstains from inflicting upon them the Founder's-kin Fellow, who was admitted by most previous College-Founders and who enjoyed peculiarly preposterous privileges at New College and All Souls.

Magdalen closes the list of Oxford Colleges which fall within our period. Two innovations in its Statutes (1479) may be noticed as indications of the progress of changes destined ultimately to revolutionize the whole aspect and constitution of the University. We have already noticed the introduction of the Tutorial system by Wykeham at New College. Wykeham's Statute is reproduced almost verbatim by Waynflete: and it seems probable that before the middle of the fifteenth century the teaching of Undergraduates (as distinct from Bachelors) was mainly in the hands of Tutors in the Colleges or Principals and their

---

1 The word used both at New College and Magdalen is Informator. At Brasenose College the word Tutor occurs for the first time, but only in reference to the Fellow who is to be responsible for a Commoner. The education of both Undergraduates and B.A.'s is there to be
though a formal attendance at a certain number of Lectures in School Street was still required. Now a further step was taken in the same direction. Waynflete founded three Lectureships in Theology, Moral and Metaphysical Philosophy, and Natural Philosophy respectively. It is probable that similar lectures were by this time not unknown in other Colleges: and it thus became possible for a student in Arts—and at Magdalen even a student in Theology—to obtain the whole of his education within the College walls. In the Statutes of the next Oxford College, Brasenose (founded in 1509), it is clearly assumed that this would be the case. Lectures continued to be given in the public Schools, but were more and more superseded by the Lectures of Halls and Colleges on the one hand and by Henry VIII’s endowed Professorships on the other. The Statutes continued to impose upon Regents the obligation of lecturing, but it became usual to grant more and more sweeping dispensations from necessary Regency, and from the obligation of hearing such Lectures, till the latter requirement was abolished conducted entirely in the College Hall under a Lecturer. It was only by a later change that the main teaching passed from the College Prelectors or Lectors to the single Tutor strictly so called.

1 In a Supplicat of 1456 a scholar in Arts asked to count a term in which he was ‘lector in aula’. (As. f. 99 b.)

2 See the Statute of 1408, Mss. Acad. p. 241 sq. above, p. 456, where it appears that a few books must still be heard cursorie from Bachelor in the Schools. Most of the books before determination are to be heard ‘in collegio aut in aula lectionatim . . . cum recitatione (i.e. repetitione) debite subsecuta.’—Notice that the ‘repetitions’ are as at Paris characteristic of the College teaching: but even the more informal college lectures audito lectionaria are too formal for beginners, and the scholar is forbidden to attend them for his first two years, during which he may be presumed to have been occupied with Summulae and catechetical instruction from his private tutor. The Oxford Statuta Aulae c. 1496 require attendance at the ‘mattutina lectio’ and the ‘meridiana recitatio’ (as to this MS. see below, p. 625).

3 In the middle of the fifteenth century the system of necessary Regency is still in full vigour, though most of the books before B.A. could now be heard in College, and those still required to be heard ‘in schools’ were heard cursorie from a Bachelor. After the hiatus in our extant Registers (1469–1505) we find the system on its last legs. In 1449 we
Laudian Statutes, and the former was satisfied as Chap. XII, using all the Regents except a single ‘Ordinarius’ of the ‘seven Arts and the three Philosophies.’ Lecturers were paid by the fees of the dispensed and continued till the end of the last century their ‘wall lectures’ to empty benches.

Second noteworthy innovation in Waynflete’s Statutes was the provision permitting the admission of Filii Com. as commensales. The admission of persons not bound to board with the Fellows is contemplated in Statutes of several of the smaller and poorer Colleges—earlier date—in the Statutes of William of Wykeham's four Masters, of Oriel, and of Lincoln. But were primarily Colleges of Theologians, and their sales would be more likely to be brother-students than mere boys studying Arts. On the 2nd Wykeham distinctly forbade the admission of extranei to live in College, though a few Gen-

Waynflete abandoned this restriction, but only of twenty high-born youths, who were not merely but to be educated in the College. The language

and all the Regents of the School to lecture out of School. Had this phenomenon, the ‘ordinary might simply have been College and Halls and Faculty have retained its hold over College lectures. But course was followed. After necessary Regency is either with altogether or reduced of a few days, e.g. there an annual dispensation every Regent to deliver ordinaria dispensatium aecallariis audientibus pro nariis privatis, or the like, once being thus dispensed, we are not surprised at in 1518 the Regents supplicating quatenus non teneantur legere ordinaria sua per maiorem partem hore. Causa est quod nulli audiant eos legentes (Reg. H 7. f. 6 b. 1). But more than once before this we find all the Masters present dispensing themselves from necessary Regency altogether, e.g. in 1511 ib. f. 141, or after All Saints' Day (ib f. 299).

1 But when a Professor was endowed for any Art or Philosophy, he became the Ordinarius. There were still four unendowed Ordinarii in the time of Gutch. Collectanea Curiosa. Oxford, 1781, II p. 39 sq. They had acquired the name of Wall Lectures even in Anthony Wood’s time.

2 At first, it would appear, without living within the walls.
§ 7. THE PLACE OF OXFORD IN MEDIEVAL THOUGHT.

In the political and ecclesiastical history of England the University of Oxford, as a corporation, played but a small part. Though its scholastic fame throughout Europe stood second only to that of Paris, and at one

---

1 Among others, one John Wyclif, who has been mistakenly identified with the Reformer: *Second Report of Hist. MSS. Comm. p. 141*, e.g. by Shirley, *Fac. Ziss.* p. xliii.
time hardly second, it had comparatively little inter-

cational character: it was recruited mainly, though by 

no means exclusively, from the British Isles. In purely insular politics there were times of disturbance when the students of Oxford could take a side: but the University as a corporation was rarely consulted and rarely ventured unasked to express an opinion, though it was at times invited to send representatives to Convocation and even to Parliament. The political power of the University of Paris was due partly to its situation in the capital, partly to the weakness of the French Kings in face of factious princes and powerful feudatories. Fortunately for England, the English kings were rarely weak. More than once the University was rudely dealt with when it attempted to play an independent part in ecclesiastical politics; even on points of Theology or Canon Law its corporate decisions exercised little influence. It was not as a great semi-ecclesiastical corporation, but as a centre of speculative thought and of religious life, that Oxford contributed to the making of English history. It was through

1 We do of course hear of foreigners here, especially in the early part of our period. (See § 1 of this chapter, passim.) Later on, such intercourse was liable to be interrupted by war. By the treaty of Bretigny in 1360 it was provided that the subjects of each King should be free to study and enjoy the privileges of each other's Universities, "comme ils povoient faire avant leurs presente guerres et comme ils font au present", Rymer, Foedera, T. m. 1708, p. 226. After the renewal of the French war (43 Edward III) we hear of a French scholar being attacked for disobeying the King's proclamation Twyne, XXIII. 188). At Pembroke College, Cambridge, there was a preference for Frenchmen.

2 It has usually been assumed that the University returned no Members to Parliament before the time of James I, but Ayliffe (II. App. p. lxxxviii., prints a writ of 28 Ed. 1 requiring the Chancellor to send "quatuor vel quinque de discretoribus et in jure scripto magis expertes Universitatis predictae" to Parliament, though the practice appears not to have been kept up. It is just possible that Wycliffe's appearance in Parliament was in this capacity. See Lechler, John Wyclif and his English Precursors, Eng. Trans. by Lorimer, London, 1878, I. p. 211 sq. As to Convocation, in 1408 'in concilio cleri celebrato Londoniis, assis-
her influence upon the religious life of England that the University of Oxford did, as we shall see, at one supreme moment open a new page in the history of England and of the civilized world.

The internal development of the Scholastic Philosophy lies beyond the limits of the present work. It is, however, impossible to understand even the bare external history, whether of the Universities or of the Middle Ages generally, without knowing at least the nature of the questions debated in the Schools and the relations of the parties which arose out of these debates to the ecclesiastical and political movements of the time. I must, therefore, attempt briefly to point out the distinctive part which Oxford played in the history of medieval thought, confining myself almost wholly to what may be called the external history of its philosophical life, without attempting to enter into the inner growth and movement of that great scholastic system which found its first home in Paris and its second in Oxford.

Enough has been said of the relation between Oxford and the mother University of Paris to make it unnecessary to enter at length into the general character of Oxford studies. The University was originally in all probability a cluster of Parisian Schools transferred to English soil; and, throughout the first century at least of its existence, the relations between the two Studia were of the closest and most intimate character. Whatever was read and taught in Paris was sure sooner or later to be read and taught in Oxford. It by no means, however, follows that the converse proposition would be equally true. And, scanty as is our knowledge of the earliest generation of Oxford teachers, enough remains to make it clear that the intellectual life of thirteenth-century Oxford was something more than a pale reflex of the intellectual life of Paris. Of the three most famous Oxford teachers of the thirteenth century two at least were much more than mere Scholastics. The first of the three, Edmund Rich, afterwards Archbishop of Canterbury, need only be mentioned here as the first
Master who is actually recorded to have taught the new Logic in the Oxford Schools and the first who is known to have taken the degree of Doctor of Divinity at Oxford. But he was remembered in Oxford rather on account of the ascetic sainthood of his personal character than of any permanent contribution to the progress of thought. The other two, Robert Grossetête, and Roger Bacon, the latter almost equal in genius and certainly superior in originality to Albert and Thomas, are commonly numbered—it must be admitted with only partial truth—rather among the critics of Scholasticism than among its creators. Both of them were Schoolmen, but both of them were something more. Grossetète pioneers thirteenth-century Aristotelianism by his exertions in promoting better translations of the Aristotelian treatises than those hitherto in use. The first translation of the Ethics direct from the Greek was made under his directions, though he can hardly be considered the actual translator: and it is tempting to trace back the peculiar and undying affection of Oxford for the Nicomachean Ethics to the influence of her first recorded Chancellor. But Grossetête's interests lay rather in the direction of Physical Science on the one hand, and of Theology on the other, than in the direction of Logic and Metaphysics. His writings show a range and versatility

1 He is often said to have been the first to teach the Ethics in Oxford, but the true reading of the passage in Roger Bacon is not 'Ethicorum' but 'Elenchorum.' I have printed the passage in Appendix XX. Charles (Roger Baron, p. 315) assumes that the Soph. Elench. were not taught even at Paris till this date, but that is surely impossible. See above, vol. I. p. 434. As to his Doctorate, see the Letter of the University in Collectanea, II. pp. 188, 189. Some new documents are printed in Wallace, St. Edmond of Canterbury. London, 1893.

2 There is no evidence that he studied at Paris, though this is asserted by Bulæus and others.


4 'Unde dominus Robertus, quondam episcopus Lincolniensis sanctae memoriae, neglexit omnino libros Aristotelis et vias eorum, et per experimentiam propriam, et auctores alios, et per alias scientias negotiatus est in sapientialibus Aristotelis et melius centes millies scivit et
Chap. XII, rare indeed among medieval Doctors: he was a French poet, an agriculturist, a lawyer, a physician, and a preacher; if he can scarcely be called a Greek or Hebrew scholar, he was at least interested in the study of these languages. Although himself a Scholastic Philosopher largely instrumental in introducing the new Aristotle to the Oxford Schools, he was a decided opponent of the rising Scholasticism in Theology. As Bishop of Lincoln, he endeavoured to encourage biblical study, and to keep the line of demarcation between Theology and Philosophy where it had been placed by the old Latin Fathers and the earlier medieval Doctors. The name of Lincolniensis stands high in the theological literature of the Middle Ages, but he is appealed to on the one hand as a Physicist, and on the other as an independent Theologian, as a great ecclesiastical statesman, as a champion of the rights of the English Church against both Pope and King rather than as a Logician or a metaphysical thinker.

Much further apart from the main current of Scholastic thought stands the great Oxford Franciscan, Roger Bacon, the most astonishing phenomenon of the medieval schools. His contributions to the discussion of the metaphysical questions which absorbed his contemporaries, though they eventually exercised considerable influence, made little noise. Entirely free from the ignorant contempt for speculative Philosophy too common among experimental enquirers, he realized none the less the fatal

scipis illa de quibus libri Aristotelis loquuntur, quam in ipsius perversis translationibus capi possunt. (Roger Bacon, l. c. p. 469).


2 Epistolæ, ed. Luard, p. 346.

3 It should be observed, however, that the defiant letter to the Pope, preserved by Matthew Paris, to which he owes much of his fame as an Anglican ecclesiastic, is of very doubtful authenticity. See Jourdain's Essay in Excursiones historicae, p. 150 sqq.

4 The most important book on Roger Bacon is Charles, Roger Bacon, sa vie, ses oeuvres, ses doctrines, Paris, 1861; a work of great value, which is still a desideratum in the Library of Roger Bacon's University. I may also refer to Professor Adamson's address on Roger Bacon, The Philosophy of Science in the Middle Ages, Manchester, 1876.
mistake of energy which was involved in the concen-
tration of nearly all education and nearly all enquiry upon
two or three metaphysical questions, for the proper
solution of which the indispensable ground-work had
not been laid. Almost all the vices of Scholasticism are
pointed out as fully by Roger Bacon as by the great name-
sake who has on somewhat slender grounds been styled
Father of the Inductive Philosophy. The neglect of obser-
vation and experiment, the abuse of syllogistic reasoning,
the blind deference to authority in Science and Philosophy
as well as in Religion—on all these points Roger Bacon,
writing in the thirteenth century, is as vigorous a censor
of the Scholastic methods as Francis Bacon in the seven-
teenth¹. He is no doubt far from having escaped from
the meshes of Scholasticism himself. His most penetrating
suggestions are often enveloped in a half-mystic haze, from
which the writings of the brilliant seventeenth-century
man of letters are free: but Francis Bacon's comparative
immunity from scientific superstition is due rather to the
actual advances in scientific discovery made by the con-
temporaries to whose achievements he accorded so grudging
a recognition than to his own superior originality. Roger
Bacon's actual discoveries or anticipations of discovery
in positive Science, though they have often been absurdly
exaggerated, are at least as important as those of the
philosophic Chancellor²; and he was free from some of
Francis Bacon's most serious limitations. He had a far juster
conception of the value of Mathematics, both in education
and in scientific enquiry, than was possible to the un-
mathematical Francis: and he was free from that petulant

¹ For minor coincidences, cf. with
Francis Bacon's 'idola,' Roger's
enumeration of the four 'compre-
henenda veritatis offendicula,' viz.
'fragilis et indignae auctoritatis ex-
templum, consuetudinis diuturnitas,
vaigi sensus imperiti et proprae
ignorantiae occultatio cum ostenta-
tione sapientiae apparentis' (Opus
Majes, ed. Jebb, Lond. 1733, p. 2),
and the 'tres magnas praerogativas
respectu aliarum scientiarum' (ibid.
p. 448 of experimental Science.
But the agreement in general aim is
much more remarkable.
² Francis Bacon's discovery of the
'form of heat' may be paralleled by
Roger Bacon's attainments in optics.
CHAP. XII, contempt for ancient learning which has endeared the name of Francis Bacon to the Philistines of every succeeding age. While he condemned the excessive authority attributed to the *ipse dixit* of Aristotle, he fully appreciated the value of Aristotle and other ancient thinkers; like all the *esprits forts* of the Middle Ages he was himself somewhat in bondage to the Arabsians. But unlike other medieval thinkers, orthodox or unorthodox, he saw that the study of Greek was the true key to the meaning of Aristotle, and a knowledge of the Bible in the original the true foundation for a fruitful study of Theology. All the characteristic ideas of the sixteenth century are held in solution, as it were, in the writings of Roger Bacon, mixed up no doubt with much that is redolent of the age in which he lived: but of all the anticipations of modern ways of thinking with which his works abound, the most remarkable is his plan of educational reform. He was convinced that the proper basis of a learned education was the study on the one hand of the ancient languages, on the other of Mathematics: these were the proper foundation for the superstructure of Philosophy and Theology, of Medicine and Science. Theology and Philosophy must be studied philologically and historically: Science must be studied mathematically and experimentally.

So isolated a thinker as Roger Bacon may be supposed to throw little light upon the general tone of the University with which he was—as it were accidentally—connected. But it is a mistake to imagine that Bacon has no place in the history of the Scholastic Philosophy.

---

1 He was a disciple of Avicenna rather than of Averroes, whose *Unity of Intellect* he rejected. Yet the influence of Averroes in Oxford may be due in part to a tradition dating from Roger Bacon.


In fact the result of the most recent study of Bacon is distinctly to lower the popular estimate of his achievements in Science, which is largely based on accidental expressions of exuberant rhetoric, and to attribute to him a Scholastic importance hitherto insufficiently acknowledged. All the germinal ideas of that antagonism to the Dominican teaching in which Oxford Philosophy had its origin may be traced in the writings of the ‘admirable Doctor.’ The successful persecution which prevented any appreciable part of his writings being printed till the eighteenth century is responsible for the non-recognition of his importance even from the purely Scholastic point of view. In his criticism of the Thomist ‘Unity of Form’ he is the predecessor of Scotus: in his doctrine of Universals, of immediate perception without ‘real intelligible species,’ and of the ‘principle of individuation’ he anticipates nearly all the fundamental ideas of Ockham. The realistic side of his doctrine was, indeed, common to most Oxford teachers of his time: but he must have contributed something at least to the development of this Oxford criticism, if it cannot all be traced back to him. His nominalistic side was not developed till later, but it can hardly be doubted that Ockham or Ockham’s predecessors got their first inspiration from the writings of the great anti-scholastic Schoolman.

Even on his mathematical and experimental side Roger Bacon was not without predecessors or like-minded contemporaries. He is full of praise for the first generation of Oxford teachers, especially for Grossetète and Adam de Marisco, of whose school he must be considered the

---

1. 'Universale non est nisi consociatione plarium individuum' ap. Charles, p. 383. At the same time he avoided Ockham’s mistake of inferring that therefore only the particular is real. Indeed the doctrine was susceptible of a Scotist as well as of an Ockhamist development.

2. By way of authority for the above, I must be content to refer to M. Charles’ admirable account of Roger Bacon’s position as a Schoolman pp. 164–294.

brilliant product. But, amidst all his laments at the aberrations of his own generation, we find that it was at Oxford that the best Mathematics of the day were taught. The two chief Mathematicians of the thirteenth century (judged by the vogue of their writings) were Oxford men. All through the Middle Ages the greatest Mathematicians were either Englishmen or Italians, though in the later Middle Age English Mathematics did not come up to the promise of the thirteenth century.

It is not difficult to understand some of the causes of this contrast between thirteenth-century Oxford and thirteenth-century Paris. Oxford had known no such wild outburst of heresy as the Almairian movement at Paris: consequently there was less reaction, less ecclesiastical repression, less exclusive absorption in theological controversy. Another circumstance which made in the same direction was the fact that the leading teachers of the thirteenth-century Oxford were either Seculars or members of what ultimately proved the less conservative of the two great Mendicant Orders. It is true that the Franciscans had at first chosen what was on the whole the less enlightened side in the great Scholastic debate. While the Dominican Masters were for the most part inflexible adherents of the moderate and philosophically enlightened Aquinas, the Franciscans were divided in their allegiance between the


2 Johannes de Sacro Bosco Hollywood, author of the "Tractatus de Sphaera," to whom Europe was indebted for the theory of a "crystalline heaven": and Johannes Pisanus (i.e. Peckham, the Franciscan Archbishop of Canterbury), whose work on Optics perhaps owes something to Roger Bacon. See Reg. Fr. Johannes Peckham, ed. Martin, III, p. lviii sq.

3 It is worth mentioning that a fifteenth-century eulogy of the University (Lambeth MS. 221. f. 364 A) claims Canpanus de Novara (vol. I p. 250) as an Oxonian.
thoroughgoing Realist Alexander of Hales and the mystic Bonaventura. But neither of these Masters ever acquired the authority which was wielded over the Dominican mind by the Angelical Doctor. In the Franciscan Order there was possibly for a time less intellectual emancipation and good sense, but there was more freedom, more originality. And at Oxford, as in England generally, all through the Middle Ages, the speculative, enthusiastic, often democratic Franciscans were more influential than the sternly orthodox, authority-loving, persecuting Dominicans.

Unlike in many respects as these two earliest Franciscan Doctors may appear, they agree in this—that they resisted the Aristotelianism which Albert and S. Thomas had introduced into the Dominican Theology, and adhered to the old Augustinian traditions which in Philosophy (though not in Theology) had been abandoned by the Dominican Doctor. The Aristotelian innovations of S. Thomas at first met with much opposition even at Paris from Franciscans and Seculars: and the Thomist doctrine which placed the principle of individuation in matter was condemned in 1277 by Stephen Tempier, Bishop of Paris, amid a host of Averroistic theses. But in Oxford the conservative Augustinian tendency was at first championed even by Dominicans. Sixteen days after the Parisian condemnation, the Dominican Archbishop Robert Kilwardby, at a Council held at Oxford, condemned in a much more explicit manner the cardinal Thomist doctrine of the ‘Unity of Form’ in man, and a number of other tenets

1 The view here taken of the origin of Franciscan tendencies in Philosophy, which throws a flood of light upon the position of Oxford in Scholastic history, I owe to Father Ehrle, Beiträge zur Gesch. der mittelalterlichen Scholastik in Archiv f. Kirchengesch. des Mittelalters, v. p. 603 sq.


3 'Quod vegetiva, sensitiva, et intellectiva sint una forma simplex' (Chart. Univ. Paris. T. I. P. i. No. 474). The Thomist doctrine was that the 'anima rationalis' was the only 'forma' of man, which in him performed the functions which the vegetable or sensitive souls or forms performed in the lower animals. The entire absence of Averroistic theses in the list of errors is remarkable. Cf. Peckham's Letter to the University (Registrum, ed. Martin,
CHAP. XII, which had evidently been maintained by younger men in the Dominican School. While the condemnation at Paris was apparently the work of the Bishop only, and was certainly in opposition to the dominant tendency of the University, the English Archbishop expressly tells us that he had the consent of the Masters. The condemnation was renewed at the Visitation of the Franciscan Archbishop Peckham in 1284.1 Four years later the same Primate, sitting at S. Mary Arches Church in London, condemned another batch of Dominican opinions, among which significantly appears the position ‘that in such matters one is not bound to adhere to the authority of the Pope, or of Gregory or of Augustine or of any other Master whatever; but solely to the authority of the Bible and of necessary reason.’

In this conservative Augustinianism, with the consequent antagonism to the Thomist views as to the principle of individuation and the Unity of form, lay the germ of all the later developments of Franciscan Philosophy. Of this philosophical conservatism the centre was Oxford: yet in the long run the Franciscan spirit proved more fruitful in new ideas, both philosophical and theological, than the Thomism, with its new-fangled but immovable Aristotelianism in Philosophy and its conservative orthodoxy in Theology, which reigned at Paris. It is not till the beginning of the fourteenth century that Oxford attained to European fame as a centre of Scholasticism. By this time the tendency towards an independent study of Nature and towards fresh and unscholastic modes of thought of which there are slight traces in thirteenth-century Oxford, had nearly worn itself out; and Oxford plunged more fiercely even than Paris into the great Scholastic strife. From this time forward the intellectual activity of Oxford far surpasses that of Paris.2 At Paris itself it is the English Nation that takes the lead. Both the two great Scholastic in-

2 Peckham, Regist. III. p. 923.
novations of the fourteenth century—the revival of Realism in a totally new form by Duns Scotus¹ and the Nominalistic reaction headed by Ockham—had their origin probably in Oxford, certainly in English minds. The most important fourteenth-century Schoolmen were Oxonians: nearly all the later Schoolmen of any importance were Englishmen, or Germans educated in the traditions of the English Nation at Paris.

From one point of view the Scholasticism of the fourteenth century exhibits a decline: the old battle between Nominalism and Realism was renewed, and with even more unphilosophic vehemence than before. It was at this time that Philosophy literally descended from the Schools into the Street, and that the odium metaphysicum gave fresh zest to the unending faction fight between North and South at Oxford, between Czech and German at Prague. And yet from another point of view this very descent into the streets exhibits an advance. The range of subjects debated in the Schools of the fourteenth century is wider than that which bounded the horizon of the thirteenth. Scholasticism begins to come into contact with practical life. Out of the somewhat muddy Metaphysics of the fourteenth-century Schools there emerge present-day questions as to the foundations of property, the respective rights of King and Pope, of King and subject, of Priest and people: at Oxford was struck the spark that kindled the torch which was soon to set Europe in a blaze and which was not extinguished at Constance.

The way for Scotus had been prepared at Paris (perhaps at Oxford also) by Henry of Ghent ², a Schoolman at once cautious and original, who gave a more Platonic turn to the Thomist doctrine of Universals and maintained against Aquinas that matter might actually exist without form:

¹ Scotism may be conveniently treated as characteristic of the fourteenth century, though Scotus began to teach towards the end of the thirteenth.

² Born 1223, died 1293. The received accounts of his life are unhistorical. See Ehrle in Archiv. I. p. 367 sq. The MS. mentioned on p. 526 n. 3 claims him as an Oxonian.
while at Oxford the Thomist doctrine of the unity of form was attacked by Roger Bacon, Robert Kilwardby, Peckham, and others. The polemic was continued by William de la Mare (probably an Englishman, possibly an Oxonian, certainly a Franciscan), who maintained in all its fulness the essential doctrine of Scotism, that of the plurality of forms in the same individual. According to Thomas there is but one form in man which constitutes his humanity, viz. the rational soul. With William de la Mare and Duns Scotus, Corporeity, Animality, Rationality, and the like became distinct and essential 'forms' co-existing in the individual Socrates. Thus with William de la Mare orginated what has seemed to its opponents the fundamental Scotist heresy of 'multiplying entities without necessity.' All these writers probably owed something to Roger Bacon. At all events all with one consent fell upon the Dominican doctrine which places the principium individuationis in matter—a doctrine involving for the orthodox thinker Angelological difficulties which were

1 The importance of Kilwardby in the development of the Oxford School was for the first time revealed by his letter defending the Oxford condemnation published by Father Ehrle 'Archiv, V. p. 603,' who shows its points of contact with the Augustinian tradition. Kilwardby (i) defends the substantial reality of the Augustinian 'rationes seminales sive originales rerum,' and (ii) contends for a doctrine evolved by him out of Augustine as to the distinctions of the vegetative, sensible and intellectual 'souls' in man—a doctrine which passed to Olivi, the Apostle of the Spiritual Franciscans, and blossomed into a much more extensive 'plurality of forms' in Guil. de Mara and Scotus. The letter is full of germinal Scotism; so too are the positions implied by the Oxford condemnations of Kilwardby and Peckham.

2 Regist. III. p. 871.

3 Little, p. 215.

4 Gulielmus de Mara published his Summa contra Thomam in 1284 (Hauréau, III. p. 99 sq.; Frantl, III p. 189; Hist. Litt. XXI. p. 359). Duns Scotus may thus have heard him. His actual Master is said to have been William of Ware, the Doctor fundatus (cf., however, Rodulphius Tossinianensis, Hat. Seraphicae Religionis, Venetii, 1586, f. 319 b), whose commentary on the Sentences is preserved in the Merton Library (Nos. 103, 104).

5 The indebtedness of all these writers to Bacon is carefully pointed out by Charles (p. 940 sq.). He perhaps does not allow sufficiently for the possibility of the ideas being the common property of the Franciscan Convent at Oxford, or of still wider circles.
more acutely felt than its more serious theological consequences\(^1\).

At the first blush of it, the Realism of all previous Schoolmen, at least since the twelfth century, may seem cautious, timid, reasonable, in comparison with the Realism of the School whose teaching culminated in the system of Duns Scotus, said on insufficient evidence to have been originally a Fellow of Merton, in any case a Master of the anti-Thomist University of Oxford\(^2\), then a teacher of the anti-Thomist Order of S. Francis at Paris and Cologne. To the modern mind the system of Scotus is apt to appear a wild, luxuriant, rampant outgrowth of hypostatized abstractions. Thus matter without form is conceived of as possibly, if not certainly, created in time before any form\(^3\). A whole chain of 'acts' is interposed between

\(^1\) An angel being assumed to be 'form without matter,' Thomas Aquinas was obliged to admit that there was no individual difference between angels: each angel was a different species.

\(^2\) In 1300 a Franciscan named 'Johannes Doun's' was refused licence to hear confessions by Bishop Dalderby 'Linc. Reg. f.133; Wood, 'Civv, ll.386: when, as Mr. Little remarks (p. 230), he must, by the rules of the Order, have been at least thirty. The earliest—and indeed the only early—authority for the early life of Scotus is an entry in a Merton MS. (No. 59) written in 1455: 'Explicit lectura doctoris subtilis ... sc. doctoris Johannis Duni' nati in quadam villicula parochie de Emyldon vocata Dunstan, in comitatu Northumbrie pertinentis domui scolarium de Mertonhalle in Oxonia et quondam socii dicte domus' (also in some other Merton MSS). It is very probable as the Bp. of Peterborough has suggested to me that this represents only the conjecture of some scholar from Emberton (a Merton living), who was familiar with the Castle of Dunstanburgh and the hamlet of Dunstan in that parish, where is an old manor house with a 'peil tower' which local tradition makes his birthplace. There is no foundation for the tradition that he died at forty-four or even at thirty-three! It is certain that he went to Paris in 1304 and died at Cologne in 1308. It is curious to find a Mertonian writer making Scotus a Franciscan and a Fellow of Merton at the same time. In the teeth of the College Statutes! In my estimate of Scotus I am much indebted to Erdmann, and still more to Pluzański's penetrating Essai sur la Philosophie de Duns Scot (Paris, 1887). Hauréau's account is singularly unappreciative. Particularly so is the attribution of a Spinozist tendency to a Philosophy which insisted to extravagance on the arbitrariness of the Divine Will, which creates even the possibilities that are never actualized.

\(^3\) It is curious to see on this point something like a recrudescence of Scotism in Dr. Martineau's Seat of Authority in Religion, London, 1890, p. 33, though he, like some of the
chap. XII, the materia primarie prima which is but does not, and the final union of form and matter in the concrete thing or compositum. At first sight Scotus would to assert the possibility of a really existing universe to the particular: while the particular cannot be: to get its very particularity without an individuating called by later Scotists its ηξεειτασ or 'thisness the critic prepared to find in the Schoolmen nothing a mass of absurdity it will appear that every doubt that the imagination can conceive becomes to a real, independent, separable existence: to his Scotist Universe will appear peopled with the creations of the metaphysical imagination. Closer may perhaps suggest that there is in Scotus no reaharking back to the crude Realism of William of Poëux. Scotus knows nothing of real Universal from the particular in the ordinary sense of the word. The truth is that Scotus has divined the great secret of modern Idealism, the reality of mental relations a part which those relations play in the constitution of the world which we know. That in the works of and his followers, as in all the Schoolmen, the absurdities and exaggerations of subtlety, it would be to deny. The same might be said of some of the philosophers whether in ancient or modern times: his most fine-drawn distinctions there is always a and sometimes a flash of metaphysical penetration than is to be found in all the Peripatetic common-s

By the student of Philosophy Scotus is not despised. Nevertheless the impression which a supercilious glance at his twelve goodly folios is apt to give the reader is probably the effect which a century of

less orthodox Schoolmen, makes this 'solidified extension' eternal.

1 'Intellectus facit universalitatem in rebus [a quotation from Averroes]; ergo illa est in re, non intellectu' (Opera, Lugduni 1639, I. p. 93). The proof is still more idealistic non est extra materiam, non esso; igitur nec intellectum; ergo nec motile extra intellectum; ergo Uniuersale.'
OF OXFORD IN MEDIEVAL THOUGHT. 533

upon the world. It is against Scotus and his Chap. XII, spider-like successors that the popular diatribes
9th-century Humanists and Reformers were mainly
it was upon Scotus that the wrath of the New
fell most hotly, when for instance Thomas
's Visitors left the Quadrangle of New College
ith leaves of 'Dunce.' And certainly it is
ater phases of Scholastic controversy ushered
' Subtle Doctor' that the popular strictures
holastic philosophy are most obviously applicable.
se of distinction and of syllogism, the habit of
ob webbs out of the Philosopher's own inside,
lication of barbarous technicalities and unin-
jargon—these are in popular estimation the
istics of the Scholastic Philosophy 2. If these
will not be applied by the discriminating critic
reservation to the works of Scotus himself, there
o doubt that they are applicable enough to the
of Schoolmen without the genius of Duns in what
all be called the decline of Scholasticism. The
of Scotus may be compared to the Flamboyant
f the best period, supremely beautiful after its
exhibiting, in its wondrous intricacy of detail
luxuriance of ornament, the gorgeousness of
decay.

g to the position of Scotus as a Moralist and
The Scotist
Theologian, our judgment of him must be a still more

thus describes their
" to Cromwell: 'Wee
ance in Bocardo and have
ished him Oxford for
his bynyd glosses, and
le a common servant to
ast nayled up upon
all common howses of
quad qucrul mens vidi,
second time wee came to
ere, after wee had declared
actions wee found all the
Grant Court full of the
Dunce, the wind blowing
them into every corner; and there
wee found one Master Greenefeld
a Gentleman of Buckinghamshire
gathering up part of the said book
leaves, as he said therewith to
make Sewells or Blaunshers to
keeper the Deere within the wood,
and thereby to have the better crye
with his hounds.' Wood, Annals,
II. p. 62.

2 For a collection of Scholastic
absurdities see Binder, Scholastica
Theologica, Tbingae, 1614.
mixed one. In the depth of its religious feeling writing contrasts favourably with the cold rational orthodoxy of Thomas. On the intellectual side, as as on the religious, his doubts mark an advance, that in his mode of meeting doubt there is retrogression as as progress. His intellect was acute enough to see the much of the Thomist apologetic for medieval dogma; the dogma is none the less insisted on. As a Philosopher he is, indeed, partially emancipated from authority. if Aristotle and Augustine count for less with Scotus with S. Thomas, the Church and the Pope count for The Thomistic predestinarianism, the materialistic doctrine of 'grace,' the arbitrary 'scheme of redemption' are softened and spiritualized. On the other hand, the strenuous asserted Free-will both of God and Man approximates to arbitrary caprice. With some of the harshness of Thomas there disappears also that noblest feature of the Scholasticism—its profound belief in the essential rationality of the great principles of Morality and of Religion. Natural and Revealed. By Scotus’ time the great conflict of the thirteenth-century Scepticism had passed and the Faith seemed to be in no peril: Scotus is for the most part content to let Theology rest on the emotional stratum before authority popularly called Faith. By Scotus the essential distinction between right and wrong was at least half-denied; Morality was made to depend on the arbitrary will of God; Duty was reduced to a calculation of profit and loss; and while the fundamental basis of all religion was thus cut away, the theological energies of the 'Subtle Doctor' and of the Order of he was the ornament were devoted to fastening upon medieval Church, in the teeth of patristic authorit.

1 Scotus denies the *perseitas* of Good, and declares that murder would be right if commanded by God. (Opus. Oxon. III. Dist. 37, *Opera*, Lugduni, 1639, VII. p. 857). On the other hand he makes beati-

**Note:** The text contains a number of footnotes and references. The first footnote notes that Scotus denies the *perseitas* of Good and that murder would be right if commanded by God. The second footnote provides a citation from the work *De revolutionibus orbium coelestium* by Nicolaus Copernicus, an astronomer, and mathematician. The text also references *The History of the Decline and Fall of the Roman Empire* by Edward Gibbon. The text is discussing the philosophical and religious thought of Thomas Aquinas, and how the thought of Duns Scotus contrasts with it. It highlights the intellectual and religious developments of the time, particularly the debates around free will and the nature of divine command. The text also touches on the role of authority in shaping religious and philosophical beliefs, and how these beliefs were presented and debated in the medieval period.
n orthodoxy, the baseless fancy of the Immaculate Conception of Christ's Mother.

A failed intellectual monstrosity which emanated from the mind could not fail to provoke reaction. It is a tribute to the unquestioning submission of the intellect to the authority of St. Thomas that the and against Scotus came from the ranks of his own school from those of its opponents. So long as he remained, the Franciscan was free to choose his logical position. Scotus had complied with this condition of Franciscan Philosophy by a return to St. Thomas, but certain that Ockham himself had studied and Oxford before graduating in Paris: it is certain as an Englishman and that it was in the English universities, in the English Nation of Paris, and in the other, the German Universities — notably in the Nations of Prague and the purely Teutonic University of Vienna—that Ockham's Nominalism took the fiercest root, a fact the significance of which becomes evident when it is remembered that Luther was elevated as a Nominalist. On its purely logical side, Ockhamism represents the cul-

...
I, ination of all Scholastic thought: and so far Scholast supplied the weapons by which it was itself destroy. Under Ockham's keen analysis and vigorous crit the realistic elements which still survived in Thom his doctrine as to the *principium individuationis*, his ' in the divine mind, his 'visible and intelligible specie were brushed aside as resolutely as the more chima entities of the Scotist system. From the point of the modern non-metaphysical man of Science Ock represents the perfection of common-sense: 'Ockh Philosophy is that of centuries later.' On nearly a purely logical or psychological question Ockham gives answer which, right or wrong, might still be maint in almost the same terms by a modern Philosopher. distinction of matter and form, the fictitious intermed of sensation, the reality of universals outside the mi all these disappear from his pages: nor on the oth does he (in spite of a few passages which savour of the theory of *flatus vocis*) fall into the opposite extrav of a Nominalism which makes truth and falsehood a matter of words: in the language of modern Phil he would be described as a Conceptualist rather than a Nominalist. On his negative and critical side, he remain for the modern as for the medieval world 'Invincible Doctor.' Are we then to regard the Scholastic debate as closed and judgment given in of the so-called Nominalism of Ockham? Such is the conclusion of some modern historians of Phil. To others it will appear that beyond the limits with the mind of Ockham and the mind of the modern sense Philosopher moves there is a region of which the mere Psychologist (and in Ockham's sophistical writings his Psychology is perhaps the point) cannot enter. Medieval Realism dimly testify to the part which Mind plays in the

---

1 For this point of view, see e.g. I. p. 209 sq.
PLACE OF OXFORD IN MEDIEVAL THOUGHT. 537

of the objects of our Knowledge—to the truth that in § 7.
all our knowledge there is a rational element (if the
expression may be allowed) which comes not from any
supposed ‘external object’ but from the mind itself, and
that these mental ideas, forms, relations—call them what
you will—are not chimeras, illusions, imaginary entities,

faint copies of unintelligible external ‘things’; but, in the
strictest sense of the word, Realities—not indeed in ab-
traction from that of which they are relations, but as real
as any other element in things. In the dim witness which
it bore to this metaphysical truth lay the strength of
medieval Realism; and hence in part it was that medieval
Realism was not stamped out by the ‘Invincible Doctor.’

In the region of pure Theology Ockham himself was
enthusiastically, unimpeachably orthodox on all questions
except the authority of the Papacy and its relation to the
Civil Power: he belonged, indeed, to that fanatical section
of the Franciscan order—the ‘Fraticelli’ as they were
called—who maintained in the teeth of Pope and Councils
the absolute poverty of Christ and his Apostles and the
obligation of such absolute poverty on all his Ministers.
In Philosophy Ockham was a sceptic: in Theology he was
as zealous a champion of Franciscan superstition as the
fantastic Scotus. And this union of philosophic scepticism
with theological reaction was effected by the expedient
so tempting to the fanatics of all ages, the division of
the human mind into ‘watertight compartments,’ the total
divorce of Faith from Reason—in other words by a blind
prostration of the intellect, in matters of Religion and
Morality, before either external authority or subjective re-
ligious emotion or some combination of the two. We have
observed the tendency to this divorce between Reason and
Religion even in Scotus: but it reaches a climax in his
pupil Ockham, who positively revelled in demonstrating

1 Theologically Ockham was the
follower of Scotus, not his opponent
especially in his doctrine of grace.
It was the Scotist and Nominalist, not
the Thomist, doctrines of ‘Merit’
against which the Reformers revolted.
See Ritschl, Critical History of the
Christian doctrine of Justification and
Reconciliation (Eng. Trans. by Black,
Edinburgh, 1870), p. 73 sq.
Chap. XII, the uncertainty or irrationality of the dogmas which as a Theologian he was prepared to swallow with dutiful avidity. It is in this respect that the Scholasticism which originated in the first half of the fourteenth century often falls so far below what may be called the moral level of the older Scholasticism which it so largely supplanted.

Some appreciation of the teaching of Scotus and Ockham is necessary if we would realize the state of Oxford thought at a period in which the debates of the Schools had issues of far-reaching ecclesiastical and political importance. We are familiar with the picture of medieval students ranging themselves under the rival banners of Nominalism and Realism and fighting in the streets for these metaphysical abstractions as vigorously as they would fight at other times for their Nation, their Faculty, or their University. But it should be remembered that it is only in the fourteenth century—after the development of Scotism and Ockhamism—that Scholasticism assumed the form of a philosophic feud mingling itself up with every other national, political, and ecclesiastical question of the day. And it is absolutely necessary to bear this fact in mind if we would appreciate the position of Wycliffe in Oxford and in the medieval Church. The fate of Wycliffe's Reform movement was largely determined by its association with what was, on the Continent, the weaker philosophical party. In Paris and still more in the German Universities which sprang out of the English Nation at Paris, the Nominalism of Ockham was for a moment triumphant. But at Oxford the development of Realism does not close with Scotus; there was a reaction against the extravagances of Scotism within the Realist ranks: and that reaction was led by Wycliffe. Nothing is more essential to an appreciation of Wycliffe's position than to realize that he was a famous scholastic thinker quite independently of his position as a theological and religious Reformer. It was Wycliffe's prestige as a Schoolman that gave so much weight to the reform movement which he had inaugurated. Since the

1 See especially his Centiloquium Theologicum.
Albert the Great, Scholasticism, amid all differences conflicting Schools, had been unimpeachably loyal medieval Church-system and the theological premisses it was based. The importance of the Wycliffite consisted in this, that now for the first time the Church principles were assailed, not by some fanatical, not by some mere Revivalist, but by a great Doctor in the ‘second school of the Church.’

It is no accident that this movement took place in Oxford. We have already insisted on the greater freedom of thought in the thirteenth century as compared with the theological narrowness of Paris. At Oxford there was no Inquisition: burning and other punishments were all but unknown in England till the reaction Wycliffism in the reign of Henry IV. At Oxford was more intellectual freedom: on the other hand, that deeper and more earnest vein of religious which has been thought to be characteristic of the was compared with the Latin races. In the generation intervened between Scotus and Wycliffe Oxford scene of immense intellectual activity, and of an inactivity which had more contact with the religious life of the country at large than was the case. Parisian Scholasticism of the preceding century. himself was no less great as a political thinker, as pion of secular authority against the usurpations pino-spiritual Papacy, than as the cleanser of the stable of metaphysical absurdity. As a Meta-

The reader may appreciate of the Oxonian thinkers after S. Thomas’ death, to add the Franciscan Idleton, one of the early homism, who paved the ethism: the Scotist John the Mertonian Walter somewhat original eclectic ‘Doctor planus et perspicuus’; the Carmelite, John Bacon-thorp, the Realistic or Averroistic ‘Doctor resolutus.’ Not all the other Nations and Universities of Europe between them could muster such a list. cf. above, vol. I. p. 248, n. 6. Of course most of these men afterwards taught at Paris or elsewhere on the Continent, but Oxford alone can call them her sons.
physician Wycliffe was his opponent, though an opponent who knew how to profit by his criticism; but as a political and ecclesiastical thinker, Ockham was distinctly one of his intellectual progenitors. Among the other influences that moulded Wycliffe’s mind in the Schools of Oxford and testify to the vigour and independence of Oxford thought at this period, two names may be mentioned. The Mertonian Realist Thomas Bradwardine (afterwards Archbishop of Canterbury) besides being distinguished as a Mathematician, was the original and vigorous exponent of that Augustinian Predestinarianism which so deeply coloured the Wycliffite and Hussite movements. Although Augustine contributed to the sum total of the Scholastic Theology not less largely than Aristotle, the general effect of Scholasticism was to throw into the shade the more Pauline side of Augustine. However appalling some of the Augustinian dogmas may sound to modern ears, it must be admitted that a return to Augustine was a step towards a return to spiritual Christianity. The return was begun by Bradwardine, and carried on by Wycliffe and Huss. Nearly all medieval religious Reformers were strong Augustinians: even the Reformation of the sixteenth century was a return to Augustine, or to an element in Augustine, rather than a return to the New Testament or

1 It would be difficult to desire a more moderate or more reasonable Realism than is expressed in the following: ‘Et concordat ratio naturalis, cum Socrates et Plato magis conveniunt, quam Socrates et asinus; illud ergo, in quo conveniunt, est commune, ut primo conveniunt in specie, et sic gradatim in genere, quousque ad genus generalissimum sit adventum; sic omni individuo hominis [leg homini] esse hominem et per consequens communis essentia vel quiditas hominis est communis’ (Trialogus, ed. Lechler, Oxonii, 1869, p. 85). In the De Ente Predicamentali ed. Beer, Wyclif Soc. 1891, p. 41, he admits that ‘ydee non sunt substantie formaliter, si non equivoce... Ideo solus habent esse intelligibile aut possibile, necessarium et eternum.’ Wycliffe’s ‘ideas’ have no existence apart from God; in fact he assents to Grossetête’s doctrine that ‘Deus est forma rerum.’


3 Brodrick, Memorials of Merton, p. 186.
to primitive Christianity. But the most powerful influence of all those which acted upon Wycliffe’s mind was that of Richard Fitzralph, like Wycliff once a Fellow of Balliol and afterwards Archbishop of Armagh, the greatest Scholastic luminary of Wycliffe’s younger days, though better known to us as the champion of the University and the secular clergy against the encroachments, usurpations, and theological corruptions of the Friars. Recent researches have proved that Wycliffe’s polemical works are more extensively and directly indebted to the writings of Richard than had hitherto been supposed. Armachanus (as the Middle Age styled him) was certainly a more vigorous and powerful writer than Wycliffe—perhaps the most intricate and obscure of all the great Scholastic host—though he is not to be compared to the great Reformer either in moral intensity or in the range of his speculation.

It is a striking illustration of the success which generally attends well-conducted persecution that Wycliffe has been almost ignored by the historians of Philosophy. His great works remained in manuscript up to the Quincentenary of his death. This is not the place in which to assign to Wycliffe his proper place in the history of the Scholastic Philosophy. But, although it is probable that he was one of the greatest or most original intellects of the Middle Age, the intellectual movement of which Wycliffe and Wycliffism were the outcome does represent the culmination of that speculative fermentation of which fourteenth-century Oxford was the centre. The movement represents the last great effort of expiring Scholasticism: its fate may perhaps be considered to have shown that Scholasticism could not effect either the intellectual or the religious emancipation at which Wycliffe aimed. The first of the Reformers was the last of the Schoolmen—at least in England. The ecclesiastical repression which followed the collapse of the Wycliffite heresy meant the extinction of all

---

1 See Dr. Poole’s Preface to his edition of Wycliffe’s De Dominio Divino Wyeliff Soc., 1890, to which is appended the De Panisperie Salvatoris of Armachanus; also his Art. on Fitralph in Dict. Nat. Biog.
vigorou and earnest Scholastic thought. Archb
Arundel’s triumph over the University in 1411 saw
the death-knell of Oxford Scholasticism. The
Realist and Nominalist debate lingered on for a con-
more: but all the life had been taken out of it: all
fresh, intellectual activity was beginning to divert
into other channels. It was not against the vig-
Scholasticism of the thirteenth century, nor even at
the keen if over-subtle speculation of the fourteenth
against an effete traditionalism which perpetuated
exaggerated the defects of the great thinkers that
human mind rose in rebellion at the Renaissance and
Reformation.

As a Scholastic movement Wycliffism was almost cru-
in England before the Council of Constance proced
its doom to the Catholic world. But none the less it
scarcely be doubted (though certainly the evidence is so
that the leaven of Wycliffism went on silently working be-
the surface of Oxford life, while Bohemia was being
asunder by the religious revolt which the Oxford Divi-
words had done so much to excite. It is a super-
view of history after all which traces the English
formation to the lusts and the hatreds of a self-willed man.
When the conflagration excited by Luther began to
the English Universities, it found the flames al-
kindled by the Bible-readings of Tyndale in Magd
Hall and of the Cambridge men both in their own uni-
versity and in Cardinal College at Oxford. It can
be doubted that those Bible-readings of the Eng
Reformers were ultimately the outcome of a trad
of practical piety, of love for Scripture and of disci
with the prevailing ecclesiastical system, which had
long after the days of Wycliffe in the hearts of the Eng
people and not least in obscure corners of the two
versity towns.

1 The full extent of Hus’ depen-
dence upon Wycliffe has been for
the first time adequately demon-
strated by Loserth in his
and Hus.

2 The following inscription

vigorously and earnest Scholastic thought. Archbishop Arundel’s triumph over the University in 1411 sounded the death-knell of Oxford Scholasticism. The great Realist and Nominalist debate lingered on for a century more; but all the life had been taken out of it: all real fresh, intellectual activity was beginning to divert itself into other channels. It was not against the vigorous Scholasticism of the thirteenth century, nor even against the keen if over-subtle speculation of the fourteenth, but against an effete traditionalism which perpetuated and exaggerated the defects of the great thinkers that the human mind rose in rebellion at the Renaissance and the Reformation.

As a Scholastic movement Wycliffism was almost crushed in England before the Council of Constance proclaimed its doom to the Catholic world. But none the less it can scarcely be doubted (though certainly the evidence is scanty) that the leaven of Wycliffism went on silently working beneath the surface of Oxford life, while Bohemia was being torn asunder by the religious revolt which the Oxford Doctor’s words had done so much to excite. It is a superficial view of history after all which traces the English Reformation to the lusts and the hatreds of a self-willed monarch. When the conflagration excited by Luther began to reach the English Universities, it found the flames already kindled by the Bible-readings of Tyndale in Magdalen Hall and of the Cambridge men both in their own University and in Cardinal College at Oxford. It can hardly be doubted that those Bible-readings of the English Reformers were ultimately the outcome of a tradition of practical piety, of love for Scripture and of discontent with the prevailing ecclesiastical system, which lingered long after the days of Wycliffe in the hearts of the English people and not least in obscure corners of the two University towns.

1 The full extent of Hus’ dependence upon Wycliffe has been for the first time adequately demonstrated by Loserth in his Wyclif and Hus.

2 The following inscription is
8. The University of Cambridge.

Added the Historiola de Antiquitate et Origine Universitatis by a Carmelite Friar named Cantelupe, who is said to have edited Thomas Spratt's Chronicon Oxoniense, 1719, entirely confined to the mythical origins. Dr. Caius, the Cambridge champion in the Elizabethan recension with Oxford, belongs to the same class of historians. His De Antiquitate Cantabrigiensis Academia Libri Duo, with a reprint of the Oxford Assertio of 1566 in 1568 (Londini); with a distinct Historia Cantabrigiensis Academia, in 1572, under the name of Caius Anglus. Archbishop Parker's De Scolarum Collegiorumque in Academia Cantabrigiensis Fundatoribus, with a list of royal privileges, &c., to his De Britannica Eclesiae, 1572; he is quite as credulous as Cantelupe. Parker's Ignorant Cantabrigiensis, written in 1622, was first published in his edition of Leland's Collectanea, tom. V. (Oxon.), contains an account of the Colleges and a 'Summa Privilegiorum.'

A much lighter work than Wood's Annals of Oxford, but in all more charming quaintness. Carter, History of the University of Cambridge, 1753, is chiefly confined to the Colleges. The History of the University, Colleges and Colleges of Cambridge by Dyer, London, 1814; though professedly free from antiquarian superstitions, is a less important work. The History of the University and Colleges of Cambridge, London, 1824, a collection of the most with notes. The History of the University and Colleges of Cambridge, printed for R. Ackermann, 1815, is a mere guide-book in Bock's Observations on the Statutes (London, 1841) an interesting addition.

The Library of University College, No CLVI; supplies evidence on this head: 'Hoc multum hereticis, aliae in manus meas pervenit in manibus meos. Thome Waldensis, venerate, contra Wiclevistans, anissima dogmata multos Angles se cogitati aliquid excerptum pro supersacramentalibus, in que Lollardi ipsi maxime invehuntur, unde successores nostri et sui assistentes consiliarii in inquisitionibus furtificatis aliqua paratiora inveniant ad confusionem errantium, quam am nos ante habeamus aut ipsi successores habuisse sent istis non habitis.'

For some other evidence of the work of Wycliffe see a note by Mr. F. D. Matthew in the Academy, No. 525, p. 378.

Q 2

is the most detailed History that has appeared, but documents are unfortunately translated. The same writer's Memorials of Cambridge (Cambridge, ...; new ed. 1860) deal chiefly with the Colleges. Mullinger, University of Cambridge from the earliest times to the Royal Injunctions of 1335 (Cambridge, 1873), is one of the most readable of University histories and is a real contribution to the history of medieval culture and learning, to which I am under great obligations. (This work is cited as 'Mullinger I.' He continues the narrative in The University of Cambridge from the Royal Injunctions of 1335 to the accession of Charles the First (Cambridge, 1884), and has also published a History of the University of Cambridge in Creighton's Epochs of Church History (London, 1888), which is a popular abridgement continued to the present time. The Architectural History of the University of Cambridge and of the Colleges of Cambridge and Eton, by Robert Willis, ed. by John Willis Clark (Cambridge, 1886), is a monumental work, the historical value of which is by no means limited to the architectural side. Mr. Clark has also published a more popular sketch, Cambridge, brief historical and descriptive notes, London, 1881.

The ancient Statutes of the University, as well as the Statutes of the Colleges, are printed in Documents relating to the University and Colleges of Cambridge (London, 1852). But in the case of some Colleges the Statutes are only printed as revised under Edward VI; in these cases I have consulted the originals whenever extant. Gunning, Ceremonies of the University of Cambridge, Cambridge, 1898, is a useful record of ancient customs which are now too often matters of history.

Many miscellaneous documents and dissertations connected with the University are contained in the various proceedings of the Cambridge Antiquarian Society, especially a list of Documents in the University Registry compiled by Dr. Luard, Communications, III p. 387 (1876). Most of the charters and privileges of the University were collected in three MS. volumes now in the University Registry. I have also consulted the enormous collection of MSS. by Baker (part of which are in the University Library, the rest in the British Museum), and the Cole MSS. in the British Museum. The documents relating to the Colleges are mostly calendared in the Reports of the Hist. MSS. Commission.

Myths and Forgeries.

A few words will suffice to clear away the cobwebs with which academic patriotism has surrounded the growth of the University of Cambridge. The exuberance of Cambridge imagination has, indeed, transcended that of our least scrupulous Oxford antiquaries. The foundation of Oxford by Alfred the Great being too circumstantially narrated to be shaken by fifteenth or even sixteenth century criticism, the champions of the eastern University were obliged to carry their inventive researches back into the mists of a still more venerable antiquity. The origin or 'restoration' of the University is variously ascribed to a Spanish
e Cantaber, who flourished at a somewhat uncertain time, to King Arthur, whose Charter bears date A.D. 531, by more sober critics) to the Saxon King Sigebert in the seventh century; Bede and Alcuin (whose comparative chronology is not always clear to the historians) are named as its first teachers. A more detailed account of the University in a settlement of Crowland monks early in the tenth century is derived from the continuation of the Chronicle attributed to Peter of Blois. As to the authenticity of this narrative it will be sufficient to say it makes an English monk teach the Metaphysics of Aristotle about a century before there is any trace of them in northern Europe.

The first appearance of the Cambridge Schools upon the scene of genuine history is in connexion with the great Migration of 1209. It is useless to speculate as to the exact date of the Schools of Cambridge before this period. The same reasons which forbid us to make the University of Oxford a spontaneous development of the Schools of Wycliffe forbid us likewise to seek the origin of the University of Cambridge (as has sometimes been done) in the Augustinian Priory of Barnwell. In the case of Cambridge there is the additional difficulty that Barnwell is eight miles from the site of the later School Street, and nothing whatever is heard of Schools either at Barnwell or anywhere in Cambridge before the historic migration of 1209. It may be hoped that those who decline to accept the Parisian migration as the real source of the University of Cambridge because it is not recorded in black and white in the charters and written documents of the thirteenth century will consider the circumstances in which the Schools of the University were established and the tradition that supports the claim that the migration is in fact a fact.

\[\text{\textit{The Oxford Migration of 1209.}}\]

The University of Cambridge, 545


3. Vahrscheinlich kam die Schule an die Aufnahme (Denifle, 1. in an interesting paper on The Fennland (Archaeological Journal, 1892, p. 272 sq.; the Bp. of Peterborough recognizes the origin of the University in migration from Oxford and Paris. He rightly insists on the case of access as the essential condition of its development, but still appears to me to attribute rather too much to the Monasteries.
Cambridge.

Chap. XII, while that the English students recalled to England by Henry II repaired to Oxford and because we do hear of Schools at Oxford before this date will not have recourse to the gratuitous hypothesis of Schools at Cambridge before 1209. There may no doubt have been a Priory School at Barnwell, and there were of course the Grammar schools which in the twelfth century were to be found in every town as large as Cambridge; but to seek in such Schools a 'nucleus' of the later University would be as misleading as to talk of the Cathedral School of Durham and the various Charity Schools of the same place as the 'nucleus' of the University founded there in 1833. It is to be regretted that so much dust should, even in recent years, have been thrown between the student's eyes and a very plain historical fact.

Cambridge as a Studium Generale dates at earliest from 1209—at earliest because it is by no means clear that its continuous existence really begins with that year. In the ordinary course of things it is likely enough that the place was well-nigh deserted by scholars after the return to Oxford in 1214. At all events after 1209 we hear nothing definite of the Cambridge Studium till 1229. In that year Henry II offered an asylum to the dispersed scholars of Paris, promising to assign certain towns in England for their residence. One of the places to which they actually repaired was undoubtedly Cambridge. It is only after the Paris migration of 1228 that any Royal

---

1 Even Mr. Mullinger speaks of the University as 'originating most probably in an effort on the part of the monks of Ely to render a position of some military importance also a place of education. The little school prospered; the Canons of St. Giles lent their aid; and when at length, as at Paris and Bologna, a nucleus had been formed,' &c. (Cambridge, I, p. 334.) But all known analogies are against the theory that monks founded Schools or Universities at a distance of twenty miles from their own monastery. The days of University Extension were not yet.

2 Its existence may, however, be inferred from the writ of Henry III in 1218, directing the Sheriff to expel clerici who still remained under excommunication for adherence to Louis and the Barons. Doc. in Fuller (ed. Prickett and Wright), p. 20 note.

tion or any distinct academical organization is traceable in that town. Two years later a Royal

**THE UNIVERSITY OF CAMBRIDGE.**

§ 8.

the Chancellor of Cambridge—now for the first

mentioned—power to signify to the Bishop of Ely 're-

clerks who would not be chastised by the Chan-

n Mastet's,' whereupon the Bishop was to invoke

of the Sheriff. At the same time the Sheriff

lered to expel from Cambridge all students 'not

he discipline or tuition of some Master of Schools,'

ame year the 'taxation' of Halls is recognized in

which refers to the 'multitude of clerks from diverse

well on this side as on the other side of the sea,'

; no doubt the effect of the Royal invitation to the

Parisians to settle in England. The first Papal

ion of Cambridge occurs in 1233, when on the

of the Chancellor and Scholars, Gregory IX

ed the Bishop of Ely to absolve scholars of Cam-

for *injicio manuum,* and conferred a privilege by

chers of Cambridge, willing to answer before

hop or Chancellor, were not to be summoned

the diocese.

istory of the University privileges follows so very

he same lines as the course of development at

that it would be tedious to reproduce the various

' the process in any detail. Suffice it to say


*Letters,* ed. Shirley, 1862.

of *Significavit* in 1242

. p. 44); yet even after

and him signifying through

op. Ely Reg. Arundel,

*Letters,* I. c. (Fuller, ed.

and Wright, p. 23). Fuller

holarium,' but this would

usual expression.

uller, p. 23.

*Calendar of Entries in the


pp. 170 note. The great benefactor

and builder of the Cambridge Li-

ry, Thomas Rotherham, Arch-

of York, was a contemporary of Duke Humphrey. For the

istory of the Library, see Art. by

Bradhaw in *Collected Papers*

(Camb. 1889), No. xxxii, and for

the architectural history generally
Chap. XII, that the academic prerogatives and liberties were at Cambridge considerably slower in their growth and somewhat less magnificent in their final development than was the case at Oxford\(^1\). Thus it was not till 1267, after a migration to Northampton, provoked by the oppressions of the townsfolk, that the University was granted the privileges in relation to the assize of bread and beer, to the conservation of the peace, and to other matters which Oxford had already enjoyed for twenty years\(^2\). It was not till 1314 that her Chancellor obtained the cognizance of personal actions\(^3\) of scholars against laymen—a privilege which Oxford had enjoyed since the beginning of the preceding reign; and not till 1383 that the jurisdiction was extended to all cases except felony or mayhem\(^4\).

Still more slow was the growth of the University’s ecclesiastical independence. Up to the end of the thirteenth century we find the Bishop, through his Official, deciding internal disputes between the various Faculties of the University, or hearing appeals from the Chancellor’s decisions\(^5\).

---

\(^1\) Rot. Pat. 7 Ed. II. pt. 2 (Hare, I. p. 65).

\(^2\) Rot. Chart. 7 Ric. II. No. 21 (Hare, I. 219).

\(^3\) Rot. Pat. 7 Ed. II. pt. 2 (Hare, I. p. 65).

\(^4\) Rot. Chart. 7 Ric. II. No. 21 (Hare, I. 219).


---

see Willis and Clark, vol. III. It may be added that S. Benet’s Church at one time had a certain connexion with the University. A dispute as to payment for ringing the bell of S. Benet’s for extraordinary Lectures (1273-4) is printed by Mr. Clark in Camb. Ant. Soc. 8° Pub. No. xvii. p. 56. Its bell was still rung, not only for this purpose but for Congregations, till after 1655. (Masters, Hist. of C. C. C. p. 431.) It would also appear to have been used for English University Sermons (ib. p. 433), like S. Peter’s-in-the-East at Oxford.

The earliest extant Statute and the first mention of the Rectors (i.e. Proctors) is in 1375 (see above, pp. 368, 369\(^5\)), but the document implies earlier Statutes and a long-established constitution.

\(^1\) Rot. Pat. 52 Hen. III. m. 25 (Dyer, Priv. I. p. 63).

\(^2\) Rot. Pat. 52 Hen. III. m. 25 (Dyer, Priv. I. p. 63).
We even find traces of a claim to have the Statutes of the University submitted to him for confirmation. It was not till 1374 that the Cambridge Chancellor even made a difficulty about taking the oath of canonical obedience, but after a long conflict and an appeal to the Court of Arches he was compelled to take it. After this, however, the oath was sometimes dispensed with as a matter of favour; but the Chancellors continued to seek confirmation from the Bishop, and in some instances even to submit to the oaths of canonical obedience and respect for the Episcopal rights, down to the year 1400.

The earliest evidence which occurs of a claim to even emancipation from episcopal jurisdiction, is in

---

1 Some difficulty was made by Bishop Montagu’s Official (Reg. f. 2 b) in 1337 about the confirmation of the Chancellor-elect. ‘Non intendebat . . . aliqua statuta per universitatem Cantabrigiensem edita approbare, consensu ipsius Patria minime requisito, nec etiam ipsum electum aliqualiter confirmare, nisi secundum morem antiquum confirmandi hujusmodi electum in Cancellarium Universitatis predicte.’ He compelled the Chancellor to swear ‘quod non inintetur aliqui novo statuto in dicta universitate circa electionem dicti Cancellarii edito vel edendo quod quovis modo redundare posset in preudacionem ipsius Patria aut iurisdictionis sue vel ecclesie sue Eliensis,’ together with the oath of canonical obedience. It may be worth adding that the Bishop used to issue during vacancies a commissio to the Doctors ad custodiendum iurisdictionem Universitatis Cantabrigiensis durante vacacione Cancellariatus,’ whereas at Oxford the University and its Cancellarius natus the senior D.D. used to exercise such jurisdiction without episcopal authority. See above, p. 496 n., 497 n. 3.

2 Ely Reg. Arundel, f. 75 a; Cooper, I. p. 112; Reg. of Consistory Court (Ely Registry, D. 2. ff. xix a-xx b). The Chancellor is found ‘pretendens . . . ipsum pro tempore suo ac predecessores . . . liberos suisse et immunes ab omni obedientia Episcopis Eliensis et . . . officiis eorum et ministriis prestanda.’ It is to be noticed that the appeal was technically ‘ad sedem apostolicam directe et pro tuizione Curie Cantuariensi.’ This is usually explained as an appeal for the protection of the Archbishop as legatus natus, pendente lite (see Reg. Joh. Pechham, ed. Martin, II. p. cvii), but, if we may generalize from this instance, it seems that practically the case was decided by the Arches Court in virtue of the Archbishop’s position as legatus natus.

3 Ely Reg. Fordham, f. 181 a. In 1401 an appeal to the Arches from the Chancellor in a civil suit was prohibited ‘per breve Regis’ (Lambeth Reg. Arundel, I. f. 554).
Chap. XII., a Royal order of 1394, which forbids the Bishop of Ely to withdraw into his own Court causes pending before the Chancellor. In 1401 Boniface IX dispensed with the Episcopal confirmation of the Chancellor-elect. The early years of the fifteenth century were years of rapid progress at Cambridge; the University had now begun to be a formidable rival to Oxford. It was high time to assert their equality in medieval fashion, not merely prospectively but retrospectively. Accordingly a Bull was forged, purporting to emanate from Pope Honorius I, in the year 624. In this audacious document the Pope is made to assert that he had himself studied at Cambridge, and to confer upon the University the privilege of exemption from all Episcopal and Archiepiscopal authority. In the year 1430 the refusal of the Chancellor-elect, John of Dunwich, to take the oath of obedience to the Bishop, led to a suit in the Roman Court. On the strength of the Bull of 624 and other equally valuable documents the Papal delegates, sitting in the Chapter House of Barnwell in 1432, solemnly decided in favour of the University's entire ecclesiastical independence.

A more interesting matter than the claim of the University to ecclesiastical immunity is a question which has been raised by Denifle as to the date at which Cambridge became a Studium Generale. Nothing in Denifle's great work was more startling to English readers than to find Oxford and Cambridge treated as belonging to totally different classes or groups of Universities. Oxford appears

---

1 The doc. is one of those which occur in Rysley's Catalogue, but are not now in the Registry. Luard, p. 389.

2 Vatican Register An. 12. Lib. 2. 6. 77. I am indebted for this reference to Mr. Bliss' MS. transcripts.

3 It was admitted that the original was lost; copies survive in the Registry (Drawer I. 19). It is printed by Twyne, Ant. Oxon. p. 60. also (p. 77); a Bull of Sergius I, produced on the same occasion. Both in Caius, De Antiq. Cant. (1574), pp. 58, 60.

4 The Bull of Martin V to the Prior of Barnwell delegating the affair is preserved in the Registry (vol. I. p. 96), as also the ensuing 'Process' (Drawer I. 18); and the confirmation by Eugenius IV in 1433 (vol. I. p. 100)—all printed in the Hist. and Antiq. of Barnwell Abbey. App. p. 31.
ne primeval Universities which were not founded Chap.XII, 
Cambridge is treated as having been for the § 8. 
erected into a Studium Generale by the Bull of 
II in 1318, which is undoubtedly worded in the 
form of a foundation-bull creating a new Studi 
generale with the jus ubique docendi and other 
. Without discussing again the correctness of 
enile's general theory as to the nature of a Studi 
gerale, it may be pointed out that his treatment of 
ge is upon his own principles somewhat arbitrary. 
Studium Generale was perhaps less used as well 
exactly defined in England than was the case in 
ile Cambridge was little known on the Continent. 
therefore be difficult to cite passages in which 
ge is explicitly styled a Studium Generale before 
of the Papal Bull. But it may still be con 
hat in the thirteenth century the Studium pos 
il the characteristics which were included in the 
ception of a Studium Generale then prevalent— 
urable number of Masters both in Arts and in at 
of the superior Faculties, students from distant 
egular Licences and Inceptions, Royal recognition 
le. If we ask how far in the early part of the 
century the jus ubique docendi would have been 
to Cambridge on the strength of ancient prescrip 
s sufficient to say that at Oxford at all events 
degrees were in all probability fully recog 
and that therefore on the very strictest interpreta 
Denile's canons, Cambridge should at least be 

by Fuller, p 80. It 
ever, that a chronicler 
the University as created 
time; 'An. MCCCXXI' 
antbriggia facta est uni 
est Oxf. per Curiam 
Chron. Petri de Vecham 
ary of C.C.C., Cam 
rad, p. 399. This Statute 
; but, as Cambridge en 
joys privileges over and above other 
Universities, the concessions cannot 
be merely ascribed to the Papal Bull. 
An inference may possibly be drawn 
from the Statutes of Peterhouse, 
which allow two or three scholars 
at a time to study at Oxford. They 
would hardly have done this unless 
they could be admitted ad eundem 
in that University.
Chap. XII, § 8. Insignificance of medieval Cambridge.

Surprising as most Englishmen will probably think this particular application of the strict juristic theory as to the nature of a Studium Generale, Denifle's treatment of Cambridge will have a salutary effect if it awakens the English mind to the medieval insignificance of a University which at present divides so exactly the higher education of this country with her more ancient rival. Up to the end of the fourteenth century—that is to say, virtually up to the downfall of Scholasticism—Cambridge was a third-rate University; its position relatively to Oxford was the position of Erlangen or Greifswald as compared with Berlin, the position of S. Andrews as compared with Edinburgh, without that halo of superior antiquity which still enables little S. Andrews to bear herself proudly among the Universities of Scotland. Not a single great Schoolman can be shown to have taught at Cambridge: it is hard to produce the name, I will not say of a great man but of a prominent ecclesiastic, who studied at Cambridge before the middle of the fourteenth century. Its surviving Statutes, late as they are, bear witness to the smallness of its numbers. It is contemplated that the whole number of its Regents in Art may not exceed twelve: while it is necessary to make provision for the absence of even a single Doctor in Decrees or in Medicine. It was not till Oxford had become impregnated with the Wycliffite

1 A further argument may be drawn from the fact that Oxford applied for a Papal Bull conferring the 'ius ubique docendi' at the same time as Cambridge. (Above, I. p. 16; Chartul. Univ. Paris, T. II. No. 756.) Oxford is admitted to have been already a Studium Generale. Too much must not be made of the fact that the Papal Chancery happened to draw up the Bull in the form which it was accustomed to use for the foundation of a new University. It is quite possible that the Papal scribe had never heard of Cambridge in 1318.


3 'Si doctor in decretis regens in villa non fuerit.' Documents, I. p. 365. So the Proctors may present for medical degrees, 'si nullus regens vel non-regens in urbe fuerit.' A. p. 367.
that Cambridge came into fashion with cautious Chap. XII.
doxy and attracted the patronage of Royal champions § 8.
and their ecclesiastical advisers. The num-
organization of the University of Cambridge is so Resem-
mer rapidly during the latter half of the fifteenth
blance to Oxford.
and towards its close must have nearly equalled
the diminution of population of Oxford.

organization of the University of Cambridge is so Resem-
ly framed on the Oxford model that it will be

organization, the earliest fragment of a Statute-book dates from circa

organization, the earliest fragment of a Statute-book dates from circa

time. The University Archives were burned by the
in the great 'Town and Gown' riots of 1381.
are scarcely any Statutes which can be with any
ce referred to a period before 1381: the great
of them belong to the fifteenth century: the
extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extant fragment of a Statute-book dates from circa

extent from the MS. Liber.
A tablet in 1458 there were
in Arts. A great
ipsum in scholastici-
locus quam in literis' (Hist. ³
Paris. 1531, f. viii.,
ones: 'In utraque
aut quinque millia scho-
universitatis, omnes sunt
es et arcus ferunt, et pro-
te nobiles. In collegiis
summatione non incumbunt,
epoae opinione mea in
cent primit.' The evident
of the statement about
students, &c. detracts
estimate of the numbers,
which is clearly much too high for
this period.

3 Rot. Parl. III. 108; Cooper, Annals, I. pp. 120-1. It is worth
while to cite Erasmus' character of the
University of Cambridge: 'Vulgus
Cantabrigiense in hospitibus Britan-
nos antecedit, qui cum summa rustici-
citate summam malitiam conjunxere'
(Lib. VI. Ep. 27).

³ The Editor of the Ancient Stata-
tutes shows that the Statute about
the Bedels must be 'ante 1276'
(Documentum, I. p. 354): does this owe
its survival to a copy being in the
possession of a Bedel, and therefore
less exposed to danger?

³ Known as the 'Liber Procurationis Antiquus,' some leaves of which
are bound up in the Junior Proctor's
Book. See the Preface to the
Statutes in Documents, I. p. 306.

³ Known as 'Markaunt's Book';
but the majority of the Statutes are
therefore prevented from tracing the growth of the academic constitution, which it would have been interesting to compare at each stage of its development with the successive changes at Oxford, and can only portray the constitution as it is presented to us, fully grown, at the beginning of the fifteenth century. And here the following points of contrast seem noteworthy:—

(1) It has already been noticed that the Proctors were at Cambridge habitually styled Rectors. In the earliest Statutes the title Rector is often used alone: in others it is ‘Rectores sive Procuratores.’

(2) The Taxors, whose primary function was the taxation of Halls, were associated with the Chancellor in the custody of the assize of bread and beer: and in various ways were more important officers than at Oxford. It is no doubt owing to this circumstance that the office has at Cambridge survived till yesterday. Among other duties the Taxors performed some of the functions of the Oxford Clerk of the Market.

(3) We have seen that the earlier code of Legatine Statutes at Paris issued in 1215 appears to recognize the right of the individual Master to try causes in which his scholar was defendant. There is no trace of such a prerogative in the Oxford Statute-book: but it is distinctly recognized at Cambridge in the case of minor causes except when the scholar has ‘expressly or tacitly renounced the jurisdiction of his Master.’

(4) There is no trace of a ‘Black’ or ‘Previous Congregation,’ a circumstance which explains the absence at a later date of the Proctorial veto. How far there was any

---

1 'Documents, I. p. 349. Later (as it would seem) a Statute was passed to restrict their powers. Ib. pp. 322, 323. They ranked next to the Proctors. Ib. p. 35.

2 'Magistri Regentes causas scholarium suorum ex parte rea existentium audiant et decidant universas, dummodo hoc postulaverint vel conventi hoc ideum in judicio allegaverint' (Documents, I. p. 328). This and some other details of the Statutes suggest that Cambridge sometimes borrowed its institutions direct from Paris, and not indirectly by way of Oxford. Cf. above, vol. I. p. 29a.
THE UNIVERSITY OF CAMBRIDGE.

by Faculties is not clear: but it would appear that Doctors of the Superior Faculties had some distinct power, since 'the consent of all the Doctors' is ed together with that of the Regents and Non-nts 1.

Another wholly peculiar Cambridge institution is the e of Magister Glomeriae—a superintendent of the mmar-schools appointed by the Archdeacon of Ely, se jurisdiction over these inferior schools dates no doubt a time prior to the existence of the University. A ute arising between this official and the Chancellor, h Balsham, Bishop of Ely, in 1267 decided that the ter of Glomery should have jurisdiction in all disputes causes of grammar-boys (Glomerelli) among them- es or with townsmen, but that causes between the nerels and members of the University should go to the ccellor's Court 2. The Master of Glomery presented degrees in Grammar in the absence of a Master of Faculty 3.

In plena congregatione Re- 2 Documents, I. p. 374. The Arch- deacon's commission to the Master of Glomery (Caius Coll. MS. No. 204, f. 216) begins: 'Cum ordinacio, dis- positio et collacio Scolarum Gram- maticalium et Magisterii Glomeriae in universitate Cantedregnesi ad nos et Archidiaconum Eliense quemcum- que pro tempore existentem, dina- scitur notorie pertinere,' &c. Observe how this survival from the pre-University era shows the improbability that the University Schools in any way grew out of the old Schools of the town. Had there been any Schools but Grammar- schools in Cambridge before 1209, the Archdeacon and Magister Glomeriae would doubtless have claimed jurisdiction over the Masters and Scholars who arrived from Oxfor in that year.
The course in Theology was shorter than at Oxford. A Doctor's degree could be obtained in ten years, even by the candidates who had not been M.A.¹

In some of the earliest Statutes of the University (one of them dated 1275) we find Bachelors—perhaps Bachelors of the Superior Faculties—present and apparently voting in Convocation². The anomaly is not unparalleled in very small Universities. It disappeared at a later date.

Our information as to the books required for degrees in various Faculties in various Universities at various times is so incomplete that it is hazardous to institute comparisons between them, but the Cambridge Statutes do seem to give a prominence to Mathematics in which it is tempting to find a prognostication of that devotion to the subject which has been the most characteristic feature of Cambridge studies for the last 200 years. The candidate for Inception in Arts was required to have been hearing mathematical lectures (in addition to Aristotle) during the whole three years of his course between Determination and Licence³. A later Statute assigns the first year to Arithmetic and Music, the second to Geometry and Perspective, the third to Astronomy⁴; but by this time six weeks' lecturing is counted as a year.

In the year 1488 with a view of putting a stop to the excessive and probably corrupt laxity with which graces or dispensations were given by the Regents, it was enacted that no grace dispensing from the statutable requirements for degrees should be submitted to the House without the previous consent of a Board consisting of the Chancellor or Vice-Chancellor, and two Doctors of Superior Faculties. Here we have no doubt the first germ of the

¹ *Documents*, l. p. 377.
² *Documents*, l. p. 376.
³ *Documents*, l. p. 342: but cf. ib. p. 335, where we hear of 'majores baccalauereos . . . specialiter in plena magistro-
⁴ *Ib*. p. 380. The Statute shows that Religious were here admitted to Arts lectures.
peculiar Cambridge institution afterwards known as the CHAP. XII Head of the Senate.¹

(10) The Non-regents, in certain cases at least, claim a share in the election of Chancellor.²

I fear there may seem to be something almost disrespectful in the brevity with which I have disposed of so great a University as Cambridge. But the fact is that it is almost impossible to find anything to say about medieval Cambridge which has not already been said of Oxford. It is surprising how rarely allusions to Cambridge and its affairs are found in the pages of historians—perhaps once for every ten or twenty times that the name of Oxford occurs in the Chroniclers. If apology for my treatment of Cambridge be needed, it is supplied by the conduct of its own very learned historian, who has been driven for lack of material bearing upon medieval Cambridge to fill his pages with the history of Oxford. So scanty are the earlier records of Cambridge that we should be tempted even to exaggerate its medieval unimportance but for those standing memorials of its past which are supplied to us by her Colleges, to the history of which we must now turn.³ At Oxford the University had reached European fame before its earliest College was founded. At Cambridge there is reason to believe that the University was kept alive during its obscurer period and eventually nursed into fame and popularity very largely through the munificence of College-founders.

¹ 'Quod nulla gratia tempus aut formam concernens de cætero petatur, nisi prius coram cancellario presidente aut vice-cancellario et duobus doctoribus in congregacione publice legatur ac per eosdem petenda decernatur' (Documents, I, p. 318. As to the later history of the Caput Senatorum, see Peacock, p. 21 sqq.

² There was an appeal on the subject to the Arches Court in 1369. (Camb. Registry, vol. I. 38.) Cf. below, p. 552 n. a.

³ The Halls, at Cambridge known as Hospicia, have died out. The bodies so called, 'Trinity Hall, Clare Hall, &c. are really Colleges, just as Balliol used to be Aula de Balliol, &c.
§ 9. THE COLLEGES OF CAMBRIDGE.

The system by which Halls were let to parties of students under a Principal was exactly the same at Cambridge as at Oxford. At Cambridge, however, the more usual name was Hospicium or Hostel—not the only instance in which a Parisian usage has been preserved more faithfully at Cambridge than at Oxford. It is still more clear than at Oxford that the Principal was freely elected by the Students ¹: and (whatever may have been the case at Oxford or Paris) their rights remained quite unimpaired down to the fifteenth century ². Eventually, when the majority of Halls had passed into the possession of Colleges, the Colleges appointed an ‘external Principal’—sometimes styled the ‘Superior’ or ‘Con-Principal,’ while the students continued under the immediate government of an ‘internal Principal,’ elected by themselves with the consent of the ‘external Principal’ ³. The Halls died out at Cambridge before the close of the sixteenth century ⁴.

In the year 1256 William of Kilkenny, Bishop of Ely, died, leaving a benefaction singularly like the bequest of Alan Basset at Oxford a few years before. He gave 200 marks to the Prior of Barnwell on condition of his paying a stipend of 10 marks annually to two Priests studying Divinity in the Cambridge Schools, who were also of course to say mass for the Bishop’s soul ⁵.

¹ See the thirteenth-century Statute printed by Mullinger, I. p. 639.
² A Statute—probably of this date—gives the Chancellor power to visit Hostels and remove an incompetent Principal, but provides that ‘alium principalem sociis ejusdem hospitii . . . eligendi libera facultas mancat’ (Documents, I. 316).
³ The same Statute forbids students ‘alibi in villa quam in aula vel hospicio sub magistro vel principali moram facere.’
⁴ Seventeen lasted to Caius’ time: for a list of twenty Hostels, see his Hist. Cant. p. 47; Willis and Clark, I. p. xxv.
⁵ Bentham, Hist. and Antiq. of Ely (Norwich, 1819), p. 149; Hist.
THE COLLEGES OF CAMBRIDGE.

ridge, however, as at Oxford, the earliest patterns of Ch. XII.

collegiate life were supplied by the Mendicants. Franciscans came in 1224 or 1225 and established elves in the Old Synagogue, whence fifty years later moved to the site now occupied by Sidney Sussex ge. The Preachers did not arrive till 1274. In course of the century Friars of the Sack, Friars of Mary and Carmelites, Augustinians and Canons empringham, established themselves in Cambridge. Benedictine students from Croyland and the neighbouring Monasteries appear to have lived in scattered till 1428, when they acquired a permanent College at their own, afterwards known as Buckingham College, site of the present Magdalene.

PETERHOUSE (1284).

Account of the early foundation of the College is contained in Thomas Hist. of the College of S. John the Evangelist, ed. Mayor, I. p. 13 sq.

The first secular College at Cambridge was founded after the earliest Oxford Colleges and in avowed imitation of the rest of them. About the year 1280 Hugh Balsham,

unq. of Barnwell Abbey, in s. Bibliotheca Topographica Mission, pp. 53, 71. App. p. 83; Ch. 7096. Baker), pp. 29, the case is contemplated *quod

itas Cantabrigiensis processus dissipetur' ib. p. 38,


appears that Cambridge, as at Oxford, had its struggle with friars, and at about the same time. In the Parliament of 33 Ed.

the University complains to the Preachers and Minoras diction of Chancellor and Masters to the Roman Curia. The answer is *Non licet

manam nisi per viam appellationis' (Mem. de Parliamento, ed. Maitland, 1893, p. 34'. As to the issue, see Cooper, Annals, I. p. 70.

The first three are mentioned in 1278-9 (Rotuli Hundraedorum, II. p. 366; Cooper, I. p. 59); the two last in 1291 (Hist. of Barnwell, p. 33).

Wilkins, Concilia, III. p. 468; Dugdale, Monasticon, ed. Caley, II. p. 123; Reynier, Apostolatus Ben. App. p. 176; Cooper, Annals, I. p. 179. A bull of Sixtus IV, cited by Willis and Clark, I. P. I, mentions the surprising fact that the monks of Norwich were in the habit of residing with the seculars of Trinity and Gonville Halls, and sanctions the practice.

R 2
chap. xii. bishop of ely, introduced a body of secular scholars into
the ancient hospital of s. john. the hospital was in
the hands of a body of regular canons: and the attempt
to unite seculars and regulars on the same foundation
appears here, as upon a later and more celebrated occasion.
when the experiment was repeated, to have conspicuously
failed. in consequence of the 'dissensions' which had
arisen, the bishop in 1284 determined to separate the two
bodies and divide the property between them. the church
of s. peter without trumpington gate was appropriated
to the society afterwards known as s. peter's college or
peterhouse, though at first more usually styled 'the
scholars of ely.'

certain hostels near the church became the habitation
of the community: and the existing, though now much
altered, hall was built with the founder's legacy soon after
his death in 1386. the house was at first but slenderly
endowed with appropriations. in 1307 it obtained the
adjoining property, hitherto occupied by the friars of the
sack (de penitentia fesu), an order doomed to extinc-
tion by the council of lyons in 1274. the bishop appears
at first, like most parisian college-founders, to have reserved
to himself and his successors the patronage of his college.
in 1338, however, bishop simon montagu resigned this
right to the college—a striking illustration of the decisive
influence upon the form and structure of our english college

1 'nos igitur attendentes venera-
bilem patrem hugonem elyensem
episcopum proposito laudabili con-
cepisse quod loco fratrum selariu
(i. e. probably scolarium) in hos-
pitali suo sancti iohannis cantab-
brigiae scolares studioi subrogentur
qui secundum regulam scolarium
oxonie qui de merlon cognomi-
natur in universitate cantabrigi-
ensi studentes' (rot. parl. 9 ed. i,
m. 28; documents, ii. p. 1). cf.
harleian ms. (baker) 7047, f. 208 sq.
prickett and wright (fuller, p. 28
note) date the foundation in its
earliest form from 1257, but do not
state their authority.
2 see above, p. 498.
3 rebuilt c. 1350, and styled s.
mary's-the-less. it was used as the
college chapel till 1632, though from
1388 there was also an oratory in
college. willis and clarke, i. pp
40, 50.
4 rot. chart. 13 ed. i, no. 109
(documents, ii. p. 1 sq.), and the
register of college benefactions
(id. p. 45.)
5 willis and clarke, i. p. 19.
6 ib. i. p. 5.
system of the epoch-making foundation Statutes of Walter de Merton at Oxford. He reserved to himself, however, the right of admitting the scholars-elect to these places. From this prelate the College received its first extant code of Statutes—a code which was superseded by an emended version confirmed by the same Bishop in 1344. Both codes incessantly appeal to the 'rule of Merton' and are entirely inspired by that model. The College was to consist of a 'Master or Warden' and fourteen Scholars, together with three poor Grammar-boys who were to sing in the College Church and serve the Scholars in Hall or Chamber. The Scholars are to be at least B.A. on election, to proceed to M.A., and then to study Theology; but two may be allowed to proceed in the Canon or Civil Law and one in Medicine. Two or three Scholars at a time may be licensed to study in Oxford—a good illustration of the relative positions of Oxford and Cambridge in the fourteenth century. It is noteworthy that the distribution of Fellowships among particular dioceses dates in the case of this as of many other English Colleges from a comparatively recent period. The full account which has already been given of the Statutes of Merton will dispense from entering in greater detail into the constitution and regulations of Merton's Cambridge daughter.

The King's Hall (ante 1316).

The earliest allusion to a body of Scholars supported by the Royal liberality at Cambridge occurs in a writ of 1316, ordering the Sheriff of Cambridge to pay the arrears of their allowances, and to continue the same

---

1 Such are undoubtedly the provision of both codes of Statutes (Documents, II, pp. 64, 65); as to the earlier practice the only authority appears to be Baker, I. p. 33. The Master was selected by the Bishop from two candidates elected by the Colleges.

2 Documents, II. p. 57 sq.

3 Ibid. p. 6 sq.


5 Ibid. pp. 10, 22, 23.

6 Ibid. p. 23.

7 From the Episcopate of Bp. Richard Redman (Documents, II. p. 66).
regularly henceforward. They were then twelve in number and are described as 'children of our Chapel.' They were then, it appears, recruited from the Choir of the Royal Chapel. The King's Scholars had from the first lived together as a community though in hired Hostels. Edward III increased their number to thirty-two, placed the foundation upon a permanent footing, built them a House of their own, and appropriated the Rectory of Northampton to the College. Richard II gave them a body of Statutes. A remarkable feature of these Statutes is the introduction of an age-limit: Scholars are to be at least fourteen on admission. The right of appointing the Warden, and the right of Visitation were at first reserved to the Crown; but the latter was transferred by Henry VI to the Provosts of King's and Eton. It is said that this is the College which, under the name of Solar Hall, has been immortalized by Chaucer in the Reeve's Tale. In the reign of Henry VIII the foundation was swallowed up in the great College, whose excessive size and predominance have been from that time to the present such unfortunate features of Cambridge life.

MICHAELHOUSE (1824).

An account of the College is given by Mullinger, I. p. 234 sq., who prints the Statutes in an Appendix.

Another Cambridge College which no longer retains a separate existence was known as Michaelhouse and

1 Documents, I. p. 66. In the Parliament of Ed. I, the King is petitioned 'quod ipse velit esse fundator unius domus quam eadem Universitas ordinavit pro pauperibus scolaribus in eadem Universitate commorantibus sustentandis,' and praying for a licence of Mortmain; in reply to which an inquisition ad quod damnum is directed. Mem. de Parlamento, p. 33. I cannot say whether the King's Hall was in any way the outcome of this petition.

2 Rot. Pat. 11 Ed. III, p. 3 m. 34, which founds (as if de novo) a College of thirty-two Scholars to dwell together in the King's House near the Hospital of S. John. At the same time they are granted the Church of S. Peter, Northampton. Cf. Willis and Clark, II. p. 688 sq.; Documents, l. p. 67 sq.

3 Printed in Rymer, III (1740), pt. iii. p. 94.

4 Rot. Pat. 56 Hen. VI, p. 1 m. 12.
was founded by Hervey de Stanton, Chancellor of the
Exchequer and Canon of York and Wells, in 1324. As
Balsham's scholars were intended to serve the Church of
S. Peter, so the 'Scholars of S. Michael' were attached to
the Church of that name, a connexion which no doubt
explains the provision—unusual in the early Colleges—that
all the students were to be 'Priests or at least in holy
orders' when admitted: all the Fellows in Priest's Orders
are styled 'Scholar Chaplains.' All were to study Theo-

logy. The Chancellor of the University was made the
ordinary Visitor of the House with a power of appeal
in difficult cases to the Bishop of Ely. The Statutes
given by the Founder are preserved and are earlier than
the extant Statutes of Peterhouse: they are not detailed
in their provisions and show no marked traces of the
Mertonian influence, though the College-constitution is
on the Mertonian model. The individual existence of
Michaelhouse was eventually extinguished in the great
College which that munificent donor of other people's
property, King Henry VIII, erected upon the ruins of
more than one earlier foundation.

UNIVERSITY OR CLARE HALL (1326).

This College derives its present name from Elizabeth
de Burgh, Countess of Clare, and grand-daughter of
Edward I. She had inherited all the family estates through
the death of her brother, Gilbert de Clare, Earl of Glou-
cester and Hereford, who fell at Bannockburn. But the
work of the Countess was merely an additional endowment

1 Rot. Pat 17 Ed. II. p. a. m. 12,
and 1 Ed. III. p. r. m. 24.
2 Mr. Mullinger (I. p. 234) states
that Fellows have to be on admission
'at least Bachelors incepting' in
Arts; this can hardly be got out
of the words 'et qui in artibus in-
cipere teneantur' (6b. p. 641), which
mean merely that if not M.A.
they must go on to that degree,
and then apply themselves to
Theology.
3 Printed by Mullinger, I. p. 640 sq.
Most of the documents are copied in
a book known as the Otryingham
book, compiled by a Warden of that
name (1427-1433), now in the pos-
session of Trinity College. See
Willis and Clark, II. p. 669.
4 Cooper, Memorials, I. pp. 25-30.
of a small College known as 'University Hall,' which the University itself had founded by Royal licence in 1325. This community certainly came into existence, but we hear no more of its history till 1336 Richard de Baden, Chancellor of the University, described as 'Founder, Patron, and Advocate of the House called the Hall of the University of Cambridge.' grants all his rights in it to the Lady Elizabeth, in consideration of an advowson bestowed by her on the College. The rights thus bestowed upon the Countess were the 'advocacy' (or advowson) and 'patronage' of the College. The object was evidently to make her the titular Foundress, and from her no doubt most of the endowment was derived: but nevertheless there was no real breach of continuity, and the College must be considered to date from 1325. The Statutes were based on those of Michaelhouse. By the Statute issued by the Foundress in 1359 the 'perpetual Fellows and Scholars' were to be, when the funds permitted, twenty in number, of whom six must be Priests. Two might study Civil Law, one Canon Law, and one Medicine: the rest were to be Artists or Theologians. The Statutes were approved by the University, and the Chancellor continued Visitor of the re-constituted College. A new Code of Statutes received the confirmation of Boniface IX in 1401.

Pembroke (1347).

The Documents II. p. 189 sq. print only the Royal Licence for the foundation Rot. Pat. 21 Ed. III. p. 3. m. 9., and the Statutes as revised in 1844. There are two MS. Codes of Statutes in the possession of the College: of the Statutes of 1347 of which there is a duplicate in the

To speak with Mr. Mullinger I 251 of a 'greater liberality in the requirements respecting the profession of a clerical element in the Statutes of this College, as it appears to me, to put a somewhat narrow idea into the mind of a medieval Founder. All the Colleges were designed for ecclesiastical, whether they were required to take holy orders while still at the College or not.


Vatican Register De Endibus f. 40.
The considerable number of Colleges founded at Cambridge in rapid succession towards the middle of the fourteenth century testify to the marked progress of the University at this time. The first of these was Pembroke or Valence S. Mary, founded in 1347 by Marie de S. Paul, otherwise known as Mary de Valence, the widowed Countess of Pembroke, and was designed for twenty-four major and six minor Scholars. Only the former of course were full members of the foundation. All were to study Arts and afterwards Theology, except two Canonists and one Medical Fellow. The College is remarkable as the only College in an English University in which a preference was accorded in the election of Scholars to students of French birth. The provision is accounted for by the parentage of the Countess, who was a daughter of Guy, Count of S. Paul. The earliest extant code of Statutes was no doubt drawn up under the influence of the Countess's Franciscan confessor. The College is placed under the authority of two annually elected, external 'Rectors,' who were to admit the Fellows (elected, however, by the College) and to exercise certain very restricted Visitorial powers. One of the Rectors was to be taken from the Friars Minor, of whom the Foundress was a great patroness; the other was a secular. This exact provision is found in the Statutes of Balliol College, which, we have reason to believe, were based on Parisian

---

1 These places are also spoken of as 'exhibiciones minores.' If not elected 'major scholars,' they were to leave the House when called upon to do so by the Warden and Scholars.

2 Documents, II. p. 197.

3 A minor peculiarity is the position of the Dean, who is simply 'decanus capelle' (elsewhere 'cantor capelle aut decanus').
of a small College known as 'University Hall,' which the
University itself had founded by Royal licence in 1326.
This community certainly came into existence, but we
hear no more of its history till in 1336 Richard de Baden.
Chancellor of the University, described as 'Founder.
Patron, and Advocate of the House called the Hall of the
University of Cambridge,' grants all his rights in it
to the Lady Elizabeth, in consideration of an advow-
son bestowed by her on the College. The rights thus
bestowed upon the Countess were the 'advocacy' (or
advowson) and 'patronage' of the College 1. The object
was evidently to make her the titular Foundress, and
from her no doubt most of the endowment was derived;
but nevertheless there was no real breach of continuity.
and the College must be considered to date from 1326.
The Statutes were based on those of Michaelhouse 2. By
the Statute issued by the Foundress in 1359 the 'perpetual
Fellows and Scholars' were to be, when the funds per-
mitted, twenty in number, of whom six must be Priests.
Two might study Civil Law, one Canon Law, and one
Medicine: the rest were to be Artists or Theologians.
The Statutes were approved by the University, and the
Chancellor continued Visitor of the re-constituted College.
A new Code of Statutes received the confirmation of
Boniface IX in 1401 3.

Pembroke (1347).

The Documents (II. p. 189 sq.) print only the Royal Licence for the
foundation (Rot. Pat. 21 Ed. III, p. 3. m. 9), and the Statutes as revised
in 1844. There are two MS. Codes of Statutes in the possession of the
College: one, the Statutes of 1347 (of which there is a duplicate in the

1 To speak with Mr. Mullinger
I. 251; of a 'greater liberality in
the requirements respecting the pro-
fessedly clerical element' in the
Statutes of this College is (as it
appears to me) to put a somewhat
anachronistic idea into the mind of
a medieval Founder. All the Col-
leges were designed for ecclesi-
astics, whether they were required
to take holy orders while still in the
College or not.

2 Documents, II. p. 117; Harley
MS. (Baker) 7069, p. 169.

3 Vatican Register De Exibitio,
f. 46.
University Registry); (a) an undated Code, in all probability of earlier date Chap.XII., see below). I am much obliged to the kindness of the Rev. Dr. Searle, the present Master, and of the Treasurer, Mr. Hadley, for giving me access to these documents. Mr. Mullinger (l. pp. 296, 297) gives extracts from a MS. account of the Foundress by Dr. Ainslie, late Master of the College, which I have also seen. The Statutes as altered by Edward VI’s Visitors have been printed in a dateless quarto (after 1733).

The considerable number of Colleges founded at Cambridge in rapid succession towards the middle of the fourteenth century testify to the marked progress of the University at this time. The first of these was Pembroke or Valence S. Mary, founded in 1347 by Marie de S. Paul, otherwise known as Mary de Valence, the widowed Countess of Pembroke, and was designed for twenty-four major and six minor Scholars ¹. Only the former of course were full members of the foundation. All were to study Arts and afterwards Theology, except two Canonists and one Medical Fellow. The College is remarkable as the only College in an English University in which a preference was accorded in the election of Scholars to students of French birth ². The provision is accounted for by the parentage of the Countess, who was a daughter of Guy, Count of S. Paul. The earliest extant code of Statutes was no doubt drawn up under the influence of the Countess’s Franciscan confessor. The College is placed under the authority of two annually elected, external ‘Rectors,’ who were to admit the Fellows (elected, however, by the College) and to exercise certain very restricted Visitatorial powers. One of the Rectors was to be taken from the Friars Minor, of whom the Foundress was a great patroness; the other was a secular ³. This exact provision is found in the Statutes of Balliol College, which, we have reason to believe, were based on Parisian

¹ These places are also spoken of as ‘exhibiciones minores.’ If not elected ‘major scholars,’ they were to leave the House when called upon to do so by the Warden and Scholars.

² Documents, II. p. 197.

³ A minor peculiarity is the position of the Dean, who is simply ‘decanus capelle’ (elsewhere ‘cantor capelle aut decanus’).
This provision disappears in another Code of Statutes in the possession of the College, which is distinctly stated to have been issued in 1347. There is nothing decisive to show which Code is the earliest, but the Statutes would be more likely to be assimilated to the ordinariness Cambridge type after a short experience of their working than so unusual a feature as the supervision of the two Rectores to have been introduced at a later period. Moreover, on the latter supposition there would be no evidence to show how the College escaped, as it undoubtedly has escaped, from the tutelage in which it was placed by the Foundress. There is indeed no evidence that the undated Code was ever in force.

GONVILLE (1848).

A paper entitled *Stabilitho Fundacionis per Re. Patrem Dunth. Willia. B. man. Norwici Episc.* exists among the Baker MSS. at Cambridge, XXIX. 2; in *Documents*, II. pp. 213 sq., are printed the Royal Licence to Gonville (Rot. Pat. 22 Ed III, p. 1. m. 33), Bp. Bateman’s Statutes, and some to ‘Annals’ by Francis Blomefield. There is a MS. History (Annalles) of the College by Dr. Caius in the College Library, for access to which and to some other MSS. I am indebted to the Rev. E. S. Roberts, President of the College.

In the year 1348, a College for twenty Scholars

1 Mr. Mullinger (I. p. 237) says: ‘The preamble in Heywood, *Early Statutes*, p. 179, and that in *Documents*, II. 192, are calculated to give the impression that the Statutes of 1347 are still extant, but such is not the case. “Although no copy of them is extant,” says Dr. Alison, “yet it is certain that they were enacted in the year 1347, since the revised copy of Statutes, by which they were superseded, though itself wanting in date, explicitly states that fact. The document containing the revised Statutes is in the form of an indenture,”’ &c. I am at a loss to understand these remarks. I have seen both Codes in the College Treasury.—(1) the Code of 13 which is distinctly so dated, and (2) the undated Indenture, which I take to be the earlier of the two. Dr. Alison rightly treats the Indenture as the earlier, but seems to be in some way misunderstood the preamble of the 1347 Statutes. Mullinger appears to take first of these documents for the Statutes of 1366, and to assume that the Indenture belongs to some period later than 1366. It is likely enough that the Bishop or the University of them confirmed the dated code'...
THE COLLEGES OF CAMBRIDGE.  

Arts and Theology was founded by Edmund Gonville, sometime Vicar-General of the diocese of Ely. It is characteristic of the difference between the great national University of Oxford and the more local reputation of Cambridge, that nearly all the Colleges in the latter, down to the period of the reaction against Wycliffism, were founded by persons closely connected with the eastern Counties. The original Founder of Gonville Hall died a year after its first Statutes were promulgated (1350), and the College was left very inadequately provided for. The completion of the work was taken up by his executor, William Bateman, Bishop of Norwich, a distinguished Cambridge Canonist from the Court of Avignon, by whom the Statutes were remodelled with a view to the encouragement of his favourite studies. The Scholars, after completing their necessary Regency in Arts, were henceforth free to betake themselves to Theology or to the Canon and Civil Law: two might choose the Faculty of Medicine. At the same time the House was re-christened as the ‘College of the Annunciation.’ Soon after this second foundation (1352) the site of the College was moved from its original position in Luttrells Lane, now known as Free-school Lane, to its present habitation, hitherto belonging to the Founders of Corpus, near the other foundation of Bishop Bateman, of which we have next to speak. The College, originally consisting of a Warden and four Fellows, grew by successive benefactions, and now bears the name of ‘Gonville and Caius College,’ after its refoundation in 1558 by Dr. John Caius, the celebrated Physician of Henry VIII, and the earliest of Cambridge Antiquaries.

1 *Documents*, II. p. 367.
2 The deed of foundation, dated 1351, is in Ely Reg. Thomas de Insula, f. 45 b.
3 *Documents*, II. p. 296.
4 The original site was sold for the building of Corpus Christi College in 1353. Willis and Clark, I. p. 243.
5 Rot. Pat. 4 and 5 Phil. and Mary, p. 7. m. 9 (41); *Documents*, II. p 215.
Trinity Hall (1350).

The Deed of Foundation and Founder's Statutes are printed in Documents. II. p. 415 sq.

Already, before taking up the unfinished work of Gonville in 1358, Bishop Bateman had become the Founder of a College which he intended to be called 'The College of the Scholars of the Holy Trinity of Norwich.' It is probable that he had already established his scholars in a Hostel hitherto occupied by scholar-monks from Ely. Here the Bishop was free to carry out his own ideas unfettered by the wishes of another patron. The College was designed entirely for the study of the Civil and Canon Law. The Scholars were to be at least B.A. on admission; and of twenty Scholars, ten were to be Legists, and seven Canonists (who were to take Priest's orders), though a Doctor of Canon Law might remain in the College with a view to graduating in Theology. But the endowments of the College were never sufficient to provide for this number. The most noticeable feature of Bishop Bateman's Statutes is the liberality of his allowances and the sumptuousness of his domestic arrangements. While the annual allowance of a Fellow of Merton or Peterhouse was but fifty shillings, the budding lawyer of Trinity Hall received (according to his degree) from six to ten marks, besides certain special distributions on festivals, so that a Doctor-fellow might be in receipt of nearly three times the income of a Scholar of Peterhouse. Clearly Bishop Bateman, at all events, did not intend his Fellows to be either paupers or ascetics. A similar liberality, suitable to the superior social position of a Canonist, is evident in the

1 Willis and Clark, I. pp. 210, 237.
2 There are said to have been only three Fellows and three Scholars for more than a century after the Founder's death. Willis and Clark, I. p. 217. The College used the Church of S. John the Baptist till 1445, when an 'Aisle' was built for it in S. Edward's. Ib. p. 230. In 1481 a Bull of Sixtus IV permitted Benedictine monks of Norwich to live in either of Bp. Bateman's colleges. Harleian MS. (Baker) 7031. p. 339.
establishment provided for by the Founder, which consisted of a 'Dispenser' or Steward, a Baker (who also acted as Brewer), a Cook, an assistant to the Baker, and an assistant to the Cook. The Visitation of the College was entrusted to the Chancellor of the University, who was required in certain cases to act with the concurrence of the Rectors of the University and two Doctors. This regulation as to visitation, it may be convenient to add, is substantially the same at Gonville, Corpus Christi, and Clare.

CORPUS CHRISTI (1352).

The Historiola Collegii Corporis Christi by Joselin, Latin Secretary to Abp. Parker) has been edited with some documents by Mr. Clark (Camb. Antiq. Soc. 8* Publications, No. xvii, 1880). This is the foundation of the elaborate History of Corpus Christi College by Masters (a former Master), Cambridge, 1753, and ed. Lamb, London, 1831. By the courtesy of the present Master, the Rev. Dr. Perowne, I have been allowed the use of the original Statutes of 1356. Large extracts are printed in Masters' Appendix, p. 11. They are based on the Statutes of Michaelhouse. Only the Royal Licence and the Statutes as revised in the time of Edward VI are printed in Documents, ii. p. 445 sq.

Although both of Bishop Bateman's foundations were completed after the date of the Black Death, there is no ground for supposing that the great Canonist was influenced either by any special religious zeal (except that zeal for ecclesiastical interests and that anxiety for his own soul which influenced all such foundations) or by any special desire to fill up the ranks of a clergy among whom (it is sometimes asserted) the ravages of the plague had been peculiarly appalling. The latter was, however, the declared motive of the Founders of the College now known as Corpus Christi, though long more usually styled Benet College. The same great calamity was, no doubt, one of the inspiring motives of the numerous foundations which had their origin at this period, both at

1 Documents, ii. pp. 230, 231, 123, 128, 448.

2 The impression may have arisen simply from the exacter statistics available in their case. See Gasquet, The Great Pestilence, London, 1893, p. 75.
As its now prevailing name denotes, S. Benet’s College was founded, in 1552, by one of the religious and charitable Guilds of the Middle Ages—the Guild of ‘Corpus Christi and the Blessed Mary’ in the town of Cambridge. It was situated near the Church of S. Benet, which was appropriated to the College and served by its members. The original Master and Fellows (only two in number) continued to perform all the duties of Chaplains to the Guild; that is to say, they officiated at the obsequies of its members. It was perhaps in consequence of this position that we find the Fellows bound by the wholly unusual obligation of saying the canonical hours daily. The College was gradually enlarged through successive benefactions by private individuals. The Alderman and six brethren of the Guild conducted an annual visitation of the College in conjunction with the Chancellor of the University.

**God’s House (1441–2).**

God’s House, founded by William Byngham, Rector of S. John Zachary in London, forms the solitary instance in the English Universities of a College exclusively devoted to the study of Grammar. It was not, however, intended for mere Grammar-school boys before their entering upon the Arts course, like the colleges for Grammarians at Paris. It was designed as a nursery of Grammar-school Masters,

---

1 See Preamble to the Statutes of Clare, New College, and even of King’s. The formula survived its justification.

2 The Statutes begin: ‘Nos Henricus Dux Lancastria Aldermannus et confratres Gilde Corporis Christi et Beate Marie Cantabrigie.’ Mr. Mullinger (I. p. 447) makes two distinct Guilds, but the Historiola (p. 3) shows that they were amalgamated for the purpose of undertaking the building of a college. See the Royal Licence in Masters (1753), App. p. 4. The scheme had been begun by the Guild of Corpus Christi in the years 1342–47.

3 The number is to be increased with the increase of revenue. The basis of the foundation was supplied by a legacy for a Chaplain already bestowed upon the Guild of S. Mary. Masters, App. p. a.
and may fairly claim to be the first training or normal School on record. In the Founder's petition to the King for leave to establish the House, it is recited that the petitioner had himself 'founde of late over the laste parte of the way ledynge from Hampton to Coventre and so forth, no farther north yean Ripon, seuentie Scoles voide, or mo, yat were occupied all at once, within fiftie years passed, because yat yere is so grete scarstee of Maistres of Gramar.' Here we have presented to us one of the effects of the strange intellectual decadence of that fifteenth century of whom there are so many other indications. William Byngham's scheme seems to herald the age of reformed Grammar-schools. It may be noted as more than an anticipation—as an actual indication—of the growth, not indeed of the New Learning, but of that humbler movement towards an improvement in grammatical teaching, which is traceable in many educational efforts of the later Middle Age, and which did in time prepare the way for the New Learning itself. At the same time, like many other reforming movements, it began long before the tendency against which it was a reaction had reached its culmination. The Old Learning did not reach its lowest depth till long after the rise of the New. The general tone of the Universities continued to treat Grammar with contempt, and the general level of Latinity continued to be low, in spite of such efforts towards better teaching of Grammar as are represented by the foundation of Winchester and of Eton, of God's House at Cambridge and Magdalen College School at Oxford. The history of God's House is, however, shorter than that of the foundations with which it has been associated, since in 1505 it was absorbed in the Lady Margaret's foundation of Christ's College. While it existed, it consisted of a Proctor and twenty-four scholars, who

---

1 Documents, III. p. 153 sq., where also the Charters are printed. Cooper places the petition in 1439 Annals, I. p. 188, and a Royal Licence was granted in the same year (Documents, I. p. 42), when the establishment seems to be already in working order.

2 Cf. above, p. 514.
Chap. XII, were to be trained as Grammar Masters and then sent out to teach country Schools. Though it constituted a separate College, it was placed under the government of the Master and Fellows of Clare Hall, to whom the power of framing the Statutes was given by the Royal Charter.

Its original site was part of what is now the Ante-Chapel of King's, from which it was transferred in 1446 to the ground now occupied by the College which has taken its place.

King's College (1441).

There is a notice of William Millington, the first Provost, by George Williams, in Camb. Ant. Soc. Communications, vol. I. p. 286 (1859): A Catalogus Alumnorum, &c., appeared in 1730 (Eton); also 1740 and 1774. The Statutes and Charters have been edited by Heywood and Wright (The Ancient Laws of the fifteenth century for King's College, Cambridge, London, 1850).

It has already been observed that the reaction against the ingrained Wycliffism of Oxford was at least one of the causes which attracted Royal patronage to Cambridge. Oxford being regarded as hopelessly infected by traditions of heresy (however thoroughly its outward manifestations might have been suppressed) it was thought that in Cambridge a new School of the Church might be raised up to rival or supplant that 'second School of the Church' which had so grievously fallen from her first estate. The most conspicuous manifestation of such a design is the foundation of King's College by Henry VI in 1440, originally known as the College of S. Nicholas. The piety or ambition of an ecclesiastically-minded king was fired by the desire to rival William of Wykeham's magnificent foundations at Oxford and Winchester: the suppression of the alien Priories decreed by Parliament in the preceding reign and carried out in his own provided a convenient

1. Documents, III. p. 163.
of carrying out the project. The mere desire to Chap. XII.
la College where the ground was less preoccupied may
had something to do with the selection of Cambridge
r than Oxford as the site of the King’s College of our
and S. Nicholas, to which the College of Eton,
ected hard by the Royal Castle of Windsor, was
ocupy the same relation that S. Mary’s College at
ester bore to Winchester College in Oxford. The
umbers of the two new foundations, the intimate
existing between them, and every detail in their
ization, faithfully reproduce the splendidly original
n of Wykeham. The Statutes of King’s College are
st a transcript of those of New College, reproducing
the now meaningless statement that the College was
ed to repair the ravages of the Black Death of 1348.
other respects, so in the history of its College
itecture the foundation of King’s introduced at
bridge the new era inaugurated by New College at
rd: it is the first College in which architectural mag-
ce forms a prominent feature of the Founder’s aim.
e magnificent scale of its Chapel the imitation has
ssed its model: King’s College Chapel—begun by
VI. continued by Henry VII, and completed by
VIII—ftly symbolizes the entrance of Cambridge
that period of her existence in which she was for the
time fairly on a level with her elder sister, and during
at part of which it was true that ‘in intellectual ac-
and readiness to admit improvement, the superiority
. . . on the side of the less ancient and splendid insti-

one respect Henry VI endeavoured to do more for Special
honour and glory of his new foundation than William
ykeham had been able to effect for New College. He

the successive Royal grants of
confiscated property in Docu-
1 p. 43 sq., among other feudal
esses, confer the right of having
5 on their manorial lands.

$ 9. Imitation
of New
College.

Rot. Chart. 21 24 Hen. VI. No 4

8 By the existing Statutes: the
original foundation was only for a
Rector and twelve Scholars.

1 Macaulay’s Essay on Barow.
obtained a Papal Bull exempting the College not only from Archiepiscopal and Episcopal jurisdiction, but also from that of the Chancellor of the University. And the University itself in 1445 accepted this exemption on two conditions, (1) that the members of the College should remain subject to the Chancellor and Proctors in respect of the performance of academical acts and exercises, though free from their judicial and disciplinary authority, (2) that the whole agreement should be void if the Bishops of Salisbury, Lincoln, and Carlisle should pronounce it inconsistent with the 'statutes, privileges, and laudable customs of the University.' We are not told what was the ruling of these prelates. But these anomalous privileges seemed so outrageous even to those who were to benefit by them that they induced the resignation of the first Provost, William Millington, and led to a period of strife and confusion which was only ended in 1454 by an agreement between the College and the University, which reserved to the College only the jurisdiction over the foundations, their tenants and servants, in civil or criminal cases arising out of acts committed within the College, including Probate and Administration. The privilege of the College in matters testamentary was exercised up to the end of the last century. The College was placed under the visitation of the Bishop of Lincoln.

---

1 Cooper, Memorials, I. 192; Hare MS. II. 139.
2 Rot. Pat. 35 Hen. VI. p. 2. m. 14 Hare MS. II. f. 141 b; Cooper, Annals, I. p. 207. In 1454 the University had refused to admit King's men to degrees without their renouncing all privileges as well as swearing obedience to the Chancellor 'simpliciter.' See Baker MS. at Camb. vol. 25. pp. 447-8. Mr. Mullinger, Cambridge, I. p. 311; appears to me mistaken in tracing the exemption of King's men from the necessity of supplicating for degrees to this somewhat equivocal 'victory.' There is no more trace of this 'privilege' at King's than at New College till a much later period. See above, p. 507.
3 Among its exceptional privileges were the power to create a Notary Public, and licence to the Provost or a Fellow named by him to hear the confessions of all others. Camb. Ant. Soc. Communications, III. p. 49.
THE COLLEGES OF CAMBRIDGE.

QUEENS' COLLEGE (1448).

The History of Queens' College by W. G. Searle (Camb. Antiq. Soc. 8th Publications, Nos. IX and XIII, 1867 and 1871) is the most careful and complete history of a Cambridge College which has yet been written. I have been allowed, by the kindness of the Rev. J. H. Gray, to see a copy of the original Statutes. The binding attributes them to Henry VIII and the year 1529, but this is hardly borne out by their contents. They purport to emanate from Elizabeth Woodville, and the educational provisions can hardly be as late as 1529. They may have been very slightly altered in that year.

In 1446 Henry VI issued a Charter founding a College of S. Bernard for a President and four Fellows. It was re-founded on another site—that of the present Queens' College—in the following year, while in 1448 its Charter was again cancelled, and a new one issued by Queen Margaret of Anjou, who had petitioned her husband to be allowed to become Foundress and Patroness of the College. The College now bore the style of the Queen's College of S. Margaret and S. Bernard, but in 1475 was again re-founded by another Queen, Elizabeth Woodville, once maid-of-honour to the fallen Margaret, and now Consort of Edward IV, who aspired to the position of Patroness and Co-foundress of the Society, henceforth known as the Queens' College. It appears, however, very doubtful whether these Royal personages gave the College much except patronage—a patronage which (as has been observed) it was at this time the deliberate policy of the Court and its ecclesiastical advisers to extend to Cambridge rather than to the heresy-stained Oxford. The endowments of this College were gradually provided by a number of obscurer persons. The donor of the original site of S. Bernard's—Richard Andrew, burgess of Cambridge—has the best right to the title of Founder, and the gradual enlargement of the very scanty foundation was primarily due to the energy of the first Master, Andrew Docket.

Chap. XII. The earliest extant Statutes appear to be those of the second Foundress, Elizabeth Woodville, but slightly revised under the authority of Henry VIII in 1529. By these Statutes the College was to consist of a President and eighteen Fellows (of whom fourteen were to be in Priest's orders) with four poor scholars, two President's servants, and two cooks. Fellows were to be at least 'Questionists' in Arts at the time of election. All the Fellows (after Regency in Arts) were to study Theology, except two, who were to apply themselves to Civil Law and Medicine respectively. Not more than two Fellows were to be elected from any one diocese (except the diocese of Lincoln, from which there might be three), or more than one from the same county. Provisions of this kind—found in many of the later medieval Colleges—were made (as the Queen's Statutes say) to 'extirpate all partiality of countries' in elections. This is worth noticing as showing that the design of founders was not to restrict, but to extend, the sphere of their liberality. though in practice these restrictions, once really necessary to avoid partiality, have operated in a precisely contrary direction. Certain visitatorial powers—that is to say the deposition of the President—were entrusted to the Vice-Chancellor and one other Doctor or Head of a College.

1 See the Bibliography.
2 'In hoc eodem collegio alantur quatuor scholares indigentes duo servitutes Presidentis et duo socii.' The functions of the Dean are limited to the chapel and its services. There were to be two Censors, who were to preside over disputations and to lecture themselves, one on Logic, the other on Rhetoric. A lecture on 'Rhetoric or Cosmography' was to be given on festivals. One of them was also to give a daily lecture on the Bible or Sentences in the chapel. This last lecture appears to have been founded by some special benefaction. If no one was willing to give it for so small a stipend, he might preach English sermons instead.
3 The term 'Questionist' is not used for a fourth-year man.
4 Notice the absence of Canon Law. This, together with provisions for Bible Lectures in College and divers English sermons to be preached by the Fellows, is a remarkable indication of a reforming spirit, if really belonging to the end of the fifteenth century. They may, of course, be due to Henry VIII.
S. Catharine's (1475).

The Charters and original Statutes (which are very short) are printed in Documents, III. p. 75 sq.; also with an account of the foundation by the Founder, and other documents, in Documents relating to S. Catharine's College in the University of Cambridge, by [Bishop] Philpott, Cambridge, 1861.

S. Catharine's Hall was founded by Robert Woodlark, Provost of King's. From whatever source the Provost's income was derived, the fact that the Head of one College should have been in a position to found another is an interesting indication of the growing importance of College-headships and (since Woodlark had begun life as a Fellow of King's) supplies another refutation of the mistaken idea that Colleges were designed exclusively to supply a meagre subsistence to penniless students. The College originally consisted of a Master and three Fellows. All were eventually to study Theology, and were to be at least Bachelors of Arts in minor orders at the time of election. The College was actually erected, and the Fellows 'entered upon commons' in the year 1473, but the Royal Charter was not issued till 1475. In the Founder's Statute occurs the provision that no two persons should be elected from the same county.

Jesu (1497).


A great deal of the property of English Colleges is derived in one way or another from monastic sources. Whatever may be thought of the way by which, in other instances, monastic property was diverted to educational

---


2 In ordine sacerdotii vel infra sacros ordines ad omnes minores constituti, 'printed by Bp. Philpott 'ad omne minus!'. The Charter speaks of three Fellows; Woodlark himself speaks of it as 'funda super uno magistro et duem sociis'; Philpott, p. 6.
TRINITY HALL (1850).

The Deed of Foundation and Founder's Statutes are printed in *Docum* II. p. 415 sq.

Already, before taking up the unfinished work of Givogue in 1348, Bishop Bateman had become the Founder of a College which he intended to be called 'The College of the Scholars of the Holy Trinity of Norwich.' It is probable that he had already established his scholars in a Hostel hitherto occupied by scholar-monks from Ipswich. Here the Bishop was free to carry out his own scheme, unfettered by the wishes of another patron. The College was designed entirely for the study of the Civil and Canon Law. The Scholars were to be at least B.A. and admission, and of twenty Scholars, ten were to be Lentmen and seven Canonists (who were to take Priest's ordination) so that a Doctor of Canon Law might remain in the College with a view to graduating in Theology. But the endowments of the College were never sufficient to provide for this number. The most noticeable feature of Bateman's Statutes is the liberality of his allowances, the sumptuousness of his domestic arrangements. The annual allowance of a Fellow of Merton or Peterhouse was but fifty shillings, the budding lawyer of Trinity received (according to his degree) from six to ten pounds; besides certain special distributions on festivals a Doctor-fellow might be in receipt of nearly the income of a Scholar of Peterhouse. Clearly Bateman, at all events, did not intend his Fellows either paupers or ascetics. A similar liberality, the superior social position of a Canonist, is evi

---

1 Willis and Clark, I. pp. 210, 237.
2 There are said to have been only three Fellows and three Scholars for more than a generation or two. The Founder's Statutes are in *Clare, III. p. 217.*

Church of S.
CHAPTER XIII.

THE NUMBERS IN
THE MEDIEVAL UNIVERSITIES.
TRINITY HALL (1350).

The Deed of Foundation and Founder's Statutes are printed in Documents. II. p. 415 sq.

Already, before taking up the unfinished work of Gonville in 1345, Bishop Bateman had become the Founder of a College which he intended to be called 'The College of the Scholars of the Holy Trinity of Norwich.' It is probable that he had already established his scholars in a Hostel hitherto occupied by scholar-monks from Ely. Here the Bishop was free to carry out his own ideas unfettered by the wishes of another patron. The College was designed entirely for the study of the Civil and Canon Law. The Scholars were to be at least B.A. on admission; and of twenty Scholars, ten were to be Legists, and seven Canonists (who were to take Priest's orders), though a Doctor of Canon Law might remain in the College with a view to graduating in Theology. But the endowments of the College were never sufficient to provide for this number. The most noticeable feature of Bishop Bateman's Statutes is the liberality of his allowances and the sumptuousness of his domestic arrangements. While the annual allowance of a Fellow of Merton or Peterhouse was but fifty shillings, the budding lawyer of Trinity Hall received (according to his degree) from six to ten marks, besides certain special distributions on festivals, so that a Doctor-fellow might be in receipt of nearly three times the income of a Scholar of Peterhouse. Clearly Bishop Bateman, at all events, did not intend his Fellows to be either paupers or ascetics. A similar liberality, suitable to the superior social position of a Canonist, is evident in the

1 Willis and Clark, I. pp. 210, 237.
2 There are said to have been only three Fellows and three Scholars for more than a century after the Founder's death. Willis and Clark, I. p. 217. The College used the Church of S. John the Baptist till 1445, when an 'Aisle' was built for it in S. Edward's. Ib. p. 280. In 1481 a Bull of Sixtus IV permitted Benedictine monks of Norwich to live in either of Bp. Bateman's colleges. Harleian MS. (Baker) 7031. p. 239.
establishment provided for by the Founder, which con-
sisted of a 'Dispenser’ or Steward, a Baker (who also
acted as Brewer), a Cook, an assistant to the Baker, and an
assistant to the Cook. The Visitation of the College was
entrusted to the Chancellor of the University, who was
required in certain cases to act with the concurrence of the
Rectors of the University and two Doctors. This regula-
tion as to visitation, it may be convenient to add, is
substantially the same at Gonville, Corpus Christi, and
Clare ¹.

CORPUS CHRISTI (1852).

The Historiola Collegii Corpus Christi by Joselin (Latin Secretary to
Abp. Parker) has been edited with some documents by Mr. Clark (Camb. Ant.
Soc. 8th. Publications, No. xvii, 1880). This is the foundation of the
elegant History of Corpus Christi College by Masters (a former Master),
Cambridge, 1753. and ed. Lamb, London, 1831. By the courtesy of the
present Master, the Rev. Dr. Perowne, I have been allowed the use of the
original Statutes of 1356. Large extracts are printed in Masters' Appendix,
p. 11. They are based on the Statutes of Michaelhouse. Only the Royal
Licence and the Statutes as revised in the time of Edward VI are printed
in Documents, II. p. 445 sq.

Although both of Bishop Bateman's foundations were
completed after the date of the Black Death, there is no
ground for supposing that the great Canonist was in-
fluenced either by any special religious zeal (except that
zeal for ecclesiastical interests and that anxiety for his own
soul which influenced all such foundations) or by any
special desire to fill up the ranks of a clergy among
whom (it is sometimes asserted) the ravages of the plague
had been peculiarly appalling ². The latter was, however,
the declared motive of the Founders of the College
now known as Corpus Christi, though long more usually
styled Benet College. The same great calamity was, no
doubt, one of the inspiring motives of the numerous founda-
tions which had their origin at this period, both at

¹ Documents, II. pp. 230. 231, 123, 128, 448.
² The impression may have arisen
simply from the exacter statistics
available in their case. See Gasquet,
The Great Pestilence, London, 1893,
p. 75.
University, or a conjectural estimate of a similar character,
whether made by FitzRalph himself or some other Chan-
cellor.

In 1408 we have the alleged emigration of 2000 German
students from Prague, a number which in some chroniclers
swells to 5000.\(^1\)

In estimating the value of these and similar statements
two or three \textit{a priori} considerations should be borne
in mind. In the first place, the medieval mind was prone
to exaggeration, especially where figures are concerned.
It delighted in good round numbers, and was accustomed
to make confident statements entirely without adequate
data. A familiar instance is the celebrated occasion when
an English Parliament made a money-grant based upon
the supposition that the country contained more than
four times the actual number of parishes.\(^2\) Then it will
be observed that the most surprising statements as to
Bologna and Oxford are not contemporary estimates: they
relate to what their authors were evidently disposed to
look upon as an heroic age: the medieval was always
a \textit{laudator temporis acti}. In the most astounding case of
all—that of Oxford—FitzRalph had a direct motive for
exaggeration. He was anxious to prove that the University
was being depopulated in consequence of the kidnappings
of the Friars, which made parents afraid to send their
children to Oxford. Hence the only part of the Arch-
bishop’s testimony which merits serious consideration is
his statement that there were 6000 students, or something
less, in his own day,\(^3\), and even this is seriously discounted
by Wycliffe’s estimate of 3000. The exceedingly narrow
limits of the area inhabited by scholars in medieval
Oxford make even this reduced figure somewhat difficult of acceptance. Odofredus again evidently implies

\(^1\) See above, p. 226.
\(^3\) There is a still more extravagant estimate in Rishanger for the year
1264: ‘Erat enim clericorum numerus, quorum nomina scripta fu-
erant in matricula rectorum, excedens XV.M. multas fide dignas \textit{(sic)} hoc idem referentibus’ (\textit{Chron-
that he estimated the numbers of Bologna in his own day at something considerably below the heroic 10,000. As to Prague, there is reason to believe that the bulk of the expelled Germans went to Leipsic, and Leipsic opened with a membership of less than 500. It is obvious therefore that these high figures must be very largely reduced. It would be impossible of course a priori to say to what extent they should be reduced. But we shall be fairly safe in saying that they cannot be taken as even prima facie evidence for more than half the population to which they ostensibly testify. On that view we should ascribe to Bologna a student-population of about 5000, and to Oxford of at most 3000. If we assume that the Bohemians left at Prague equalled the truant Germans, this will give us about 2000 for Prague in 1408. It is not likely that they exceeded 3000.

With regard to Oxford it is possible to confirm this correction by more moderate contemporary statements.

We have already noticed the 3000 students who are alleged to have left Oxford in 1299. In 1298 there took place one of the most memorable of the great encounters between Town and Gown in the streets of Oxford. The burgesses, in their subsequent petition against the University, allege that the attack upon them was made by ‘3000 clerus or more’; or, according to another version, only 1500 clerus. The occasion was a regular pitched battle between the opposing forces, at which few would be likely to be absent. At all events the burgesses would be likely to put the number as high as the known population of the University would render credible. Our conjectural halving of the Archbishop’s numbers as an outside limit is thus confirmed. The 3000, if not the 1500, would no doubt include many scholars’ servants, who were always to the fore on these occasions. We have seen reason to conjecture that in 1315 the Royal officials put the number of actual

---

1 See above, 1. p. 348.
2 ‘Bien treys mil clers ou plus’—which illustrates the loose medieval way of dealing with numbers.
Ch. XIII. scholars at 1500. We thus get 1500 as the lowest, 3000 as the highest estimate of the student-population of Oxford. There may well have been a slight increase between 1315 and the Black Death of 1348: but we shall be safe in assuming that the numbers could at no time have exceeded 3000, and were probably always much below it.

It will now be well to turn to Paris. It is not till the end of the fourteenth or the beginning of the fifteenth century that we get actual records of the number of graduations at Paris or elsewhere. The register of the English Nation, indeed, dates from 1333, but that by itself will hardly help us to an estimate of the total numbers. In the fifteenth century we have the registers of the other Nations. If we confine ourselves to the Nation of France, we find that in the year 1450 there were conferred 156 Bachelor’s Degrees and 111 Licences. The numbers fluctuate to a surprising extent; in the year last mentioned they are exceptionally high. The year 1447 with 135 Bachelors and 81 Licences is a more normal one.

If we assume that four years was the average time of residence before Licence, 80 Licences will represent 320 students who will eventually obtain the Licence. From a comparison between the numbers of Determinations and of Matriculations at Leipsic, Paulsen estimates that between one-fourth and one-third only of those who matriculated ever took the Bachelor’s degree. But at many of the German Universities a number of mere school-boys and graduates of other Universities resident in the town were placed upon the Matricula. At Paris, considering the number of students who came from other Universities, it is not improbable that at least half the students who matriculated in Arts must have eventually become Bachelors. 135 Bachelor’s Degrees will represent

---

1 Register in the Archives at the Sorbonne.

2 Sybel’s *Historische Zeitschrift*, T. 45. p. 393 sq. Only 1/8 to 1/6 proceeded to the licence.

3 Grammar students are excluded from the following computation. If they are to be included we must add at least another 1000, perhaps 2000.
270 Matriculations in one year. Of these 270, Ch. XIII. will proceed to the M.A. For the remaining 190 three will be a high average of residence. Thus we get students who will not proceed to M.A. to be added to 10 who will take that degree. That is to say, we get 890 as the number of students in the French Nation at the time. We may compute the proportion of Frenchmen to those of other Nations from the fact that dates were usually sent to be licensed in batches of each of which contained three Frenchmen, two Englishmen or Germans 1. Assume that students from a distance would be more likely to complete their course than those of the country round Paris, it will perhaps be enough to give the number of French students to give us the number of students in Arts at one time. That will be some 1700 students: 1000 will be an out-number to add for the Masters and the students of superior Faculties residing longer than the period ed above for graduation in Arts. This calculation gives us something over 2500 students for the total membership of the University at this period 2. A slightly more reliable estimate is suggested by a recently published list of who paid the bursa, a tax imposed by the University members in 1464 3. The names of about 2300 students are actually recorded; but the MS. is imperfect, and it is calculated that the whole list originally contained 3000 names. To these a small number ought possibly added for poor students who may have been excused, and for the non-graduate Religious students, who not technically members of the University, and would therefore not appear in these lists.

1. Raus, IV. 112; Chartul. T. II. 112. Sometimes the proportion is only kept by sending up students of other Nations as Angli-

2. The document is published by Dr. Max Spigratis, Personalverzeichnis der Pariser Universität von 1464, Leipzig, 1888 Beiträge zum Central-

There can then be little doubt that the academic population of Paris in the fifteenth century could not have ever exceeded some 3,500, if we include the students of the Religious Houses. The question now arises, 'Is there any reason to believe that at an earlier date the numbers were larger?' When we remember the numerous Universities which sprang into being in the course of the fourteenth and fifteenth centuries, it is highly probable that at the end of the thirteenth and beginning of the fourteenth centuries the academic population of Paris may have been considerably in excess of 3,500. It is useless to conjecture the amount of this excess, but it will be quite safe to assume that the students of Paris can never at any time have exceeded 6,000 or 7,000. A number not enormously short of this is suggested by the fact that in a single year towards the end of the thirteenth century (about 1284) at least 400 Licences were conferred in the Faculty of Arts—a number far exceeding anything that we meet with in the period of extant Registers.

---

1 As early as 1316 we find the complaint 'nihil est illa scolarium multitudo contracta et Parisiense studium incredibiliter diminutum' ('Chartul. T. II. No. 739. Of course, allowance must be made for the medieval belief in a Golden Age.

2 At S. Geneviève alone. 'Chartul. T. I. pt. i. No. 515. But as the Faculty was at feud with the Chancellor of Notre Dame, it is not likely there were many candidates at the 'inferius examen.' From the same document we learn that there were about 130 Regents. The statement that 4000 clerks not necessarily all students were present at the purgation of William of S. Amour, deserves to be noticed. 'Ib. No. 256. High numbers are also suggested by the Statute of 1288, forbidding the Examiners of Determinants to examine more than forty-eight in one month. Bulœus, III. 484; 'Chartul. T. II. No. 544. Another valuable source of information is supplied by the rolls of suppliants for benefices presented from time to time to the Holy See. In 1349, for instance, the roll contains the names of 590 Masters of Arts, together with 32 Masters of Theology, 17 of Decrees, and 46 of Medicine—597 Masters in all ('Chartul. T. II. Nos. 1162-1165. Unfortunately we do not know what was the maximum standing of these Masters. Hence it is impossible to determine with any certainty what number of resident students they represent.

3 D'après des calculs précis, c'est à près de cinq mille qu'on peut évaluer, vers 1350, le nombre des maîtres et des écoliens—six cents maîtres et quatre mille écoliens—mais vraisemblablement, dans la première moitié du XIIIe siècle, il se
r the fifteenth century at Oxford we get two sources of information: (1) Lists of Determinations and Inceptions; (2) Lists of Halls. The usual number of Determinations was about 40, of Inceptions about 20. Allowing that a third proceed to B.A., all get 120 matriculations in the year. The period of residence required for Determination seems, however, to have been practically a good deal longer than at Paris, the same period. Allowing six years for the sixth Inception, four for a sixth who only determine, and three for the rest, we shall get 520 students. If we add 300 for the students in religious houses, the Masters, and the students of Superior Faculties residing longer than the time required for graduation in Arts, we shall get 820 for the total one. The number of Halls existing in 1438 suggests a slightly higher figure. There were at this time seventy Halls or students' houses in Oxford. Considering that a house occupied by a single rich scholar and his family will appear in this list, ten will perhaps be a sufficiently high figure to take for their average population. This would be some 700 students, to which we may add perhaps 300 more monastic and collegiate scholars. We shall thus get as the probable number of Masters and scholars. In this year 1438 the University presented a petition to Parliament in which they declare that of the many thousands of students who are reported to have existed in a former

...
Ch. XIII. age, hardly one thousand remained. We shall be allowing its maximum weight to such rhetoric if we take it as evidence of some considerable diminution in the numbers of Oxford. The growing popularity of Cambridge would by itself make this probable. But when we have given its utmost weight to this consideration, these fifteenth-century data will be sufficient to make us feel that in giving 3000 as a maximum for the fourteenth century, we were probably allowing a very handsome margin. The conclusions to which we have come in regard to the more famous Paris, which drew its students from an immensely wider area than Oxford, are another reason for reducing this figure.

It has already been intimated that with regard to the German Universities of the late fourteenth and fifteenth centuries, we have data for a tolerably accurate estimate of numbers. Paulsen arrives at the following results for certain selected periods at which the best information happens to be available. If anything, his estimates are probably too low. On the other hand it must be remembered that they must often include every sort of student down to the merest Grammar-boy:

Prague 1027 (1380–1389).
Vienna 933 (second half of sixteenth century).
Leipsic 662 (in 1472).
Heidelberg 285 (1386–1550).
Erfurt 506 (to c. 1450).
Cologne 852 (1450–1479).
Rostock 350–466.
Greifswald 103 (1465–1478).
Freiburg 143 (1460–1500).
Bâle 280 (1460–1480).

1 Pauci aut nulli ad universitatem accedendi habent voluntatem; unde fit quod aule atque hospicia obscurata vel verius diruta sunt; ianue atque hostia scholarum et studiorum clausa et de tot miliibus studiencium quae fama est istuc in priori etateuisse non (MS. nam) iam unum superest: at illi qui sane superventus tarde maximum vitæ habent quod nullum fructum, nullum denique honorum post tantum studii spondere consentiant fuerint' (From MS. Letter-book F.4 46 a: printed in Pashall, p. 130).
The results of this investigation may be thus sum-
marized:—

(1) It is improbable that the numbers of either Bologna or Paris can ever have exceeded some 6000 or 7000. At Paris at least it is pretty certain that this limit was approached during its period of highest repute—say, the beginning of the fourteenth century. (If all the Grammar-boys of the City were added, we should possibly have to add some 2000 more.) About the middle of the fifteenth century, however, the number at that University was probably nearer 3000. In Italy the growth of new Universities was so rapid and extensive and the decline in the reputation of Bologna so serious, that neither Bologna nor any one of its rivals can ever have approached the numbers of Paris after an early period of the thirteenth century.

(2) The maximum number at Oxford was something between 1500 and 3000. By about 1438 the numbers had fallen to under 1000.

(3) The numbers of Prague before the German migration in 1409 may have been 3000 or more: Vienna and Leipsic may at one time have had 1000 or 2000. The numbers of the other German Universities during the fifteenth century varied between 100 and 1000, including Grammarians.

(4) We may add that the population of other minor Universities in France and elsewhere, wherever ascertain-

1 Paulsen, l. c. p. 296 sq.
2 These calculations were completed before I noticed that Prof. Thorold Rogers describes the 30,000 as ‘ten times more than the possible truth’ Six Centuries of Work and Wages, 1884, p. 167, while more recently he says, ‘it is probable that the Colleges, Halls, and monastic institutions contained at least 1500 inmates’ in 1380-1. Oxford City

VOL. II (2).
Ch. XIII. able, is always numbered by hundreds and not by thousands: at Toulouse alone there may have been as many as 2000 1.

At the same time the relatively high and well-ascertained numbers of these and other less famous Studia, at a time when Universities were many, go to confirm the probability that when Paris was the sole or principal place of higher education for a large part of Europe its numbers cannot have fallen very far short of 6000 or 7000. This line of argument becomes particularly convincing when we compare Paris with Oxford. Oxford was recruited mainly if not almost entirely, from the British Islands, and there was another, though considerably less populous, English University within a hundred miles of it. If we compare the population or the number of benefices and other posts to be filled by University men in England with the population or benefices in the enormously larger and more populous area from which Paris drew her students, it is probable that if there were ever anything like 3000 students at Oxford, that figure must be, at the very least, doubled to represent the population of Paris at the height of its fame.

Many converging lines of evidence thus lead us to much the same result. We can say with absolute confidence that there can never have been 10,000 students at Paris: there may possibly have been 7000 without the Grammarians; there must have been something like 5000, a limit which cannot well have been reached by any other University except perhaps Bologna in the course of the thirteenth century 2.

1 See above, p. 168.
2 I add two pieces of testimony as to Paris from the new volume of the Chartularium: T. III. pp. xvi, xvii: (1. The roll of 1403 contains more than 700 Masters of Arts, all ostensibly present, &c. Rabbases Çuma, a Nestorian monk in 1297 puts the students at the favourite 30,000.
CHAPTER XIV.

STUDENT LIFE IN THE MIDDLE AGES.
CHAPTER XIV.

STUDENT LIFE IN THE MIDDLE AGES.

I propose in this Chapter to discuss a number of miscellaneous matters connected with the daily life of the medieval student which have not hitherto been dealt with. I shall confine myself for the most part to the Universities of the northern type. In the life of the Italian law-student, living in his own way in his own hired house, there was no doubt much less that was distinctive and characteristic as compared with the life of the churchman or citizen of the surrounding world: and at all events the materials for the illustration of his life and habits are far less abundant than those which are available for the student-life of Paris, Oxford, and the German Universities.

If we want to realize what manner of man or boy the medieval student actually was, we shall have completely to lay aside most of the associations derived from modern Universities. Colleges and Schools of every description, whether in our own country or on the Continent. When we are told that the medieval student was younger than the modern Undergraduate, we are apt to liken him to the modern schoolboy. When we are told that he was regarded as a clerk, we are tempted to compare him with the modern seminarist. When we are told that some students begged, we are in danger of supposing that the medieval student was usually a pauper sprung from the lowest social grade. To remove these and similar misconceptions will be the object of this concluding chapter. If the reproduction of the medieval student-life is a task which strains to the uttermost all our powers of historical imagination, it is one which will richly repay the effort that it demands. He who
understands the life of a medieval University will have taken no unimportant step towards understanding the medieval Church and the medieval world. In speaking of historical imagination, however, it may be desirable to add that it is the reader's own imagination upon which the strain will fall. The present writer has neither the power nor the inclination to emulate the brilliant, if sometimes misleading, pictures which have been painted by several great writers on medieval University life. His aim will be to bring together facts and to allow the reader to paint his picture for himself.

Previous Education of the Medieval Student.

The first question which it seems necessary to ask relates to the equipment with which the average student entered upon his University course. And that question is easily answered. The lectures were given in Latin. Before the student could profitably attend University lectures, he must have learned to read, write, and understand such Latin as was used in the Schools. Latin, it must be remembered, was not merely the language of the Lecture-room, but theoretically at least of ordinary student-life. The freshman must have been able to talk some Latin as well as to understand it. It is of course difficult to say to what extent the practice of the average student corresponded with the theory. There was no such thing as an entrance Examination, except in the Colleges; and the want of proper grounding in the Latin language constituted one of the most glaring defects of the medieval system. Still, in the first half of our period, when the Universities were cosmopolitan, conversational Latin must have been almost a necessity of life to the University student. Even students from different provinces of the same country could hardly have understood each other without

It will, however, occasionally be necessary in the following chapter to make generalizations, the full evidence for which cannot be exhibited in the notes.
EARLY EDUCATION.

its aid: and in the later period we find Latin-speaking in College and Hall strictly enforced by Statute. A Statute of Paris makes the ability of a petitioner to state his case before the Rector in Latin, without any 'interposition of French words,' a test of his bona fide studentship. The certificate of 'scholarity' was to be refused if the applicant's Latinity proved unequal to the strain. So the founder of a Chantry which included provision for two scholars provides that one of them was to be sent to the University when he could 'read, sing, and construe well and compose twenty-four verses on one subject in one day.' These two illustrations will perhaps supply us with a sufficient idea of the attainments of the average student upon entering the University proper as a student in Arts. At the same time it is probable that there was a residuum of men who understood even less of the lectures which they attended, or were supposed to attend, than an ignorant monk or 'hedge-priest' did of the Psalter which he daily muttered. We have already seen that large numbers of students—probably a majority—never proceeded even to the lowest degree; there was no compulsion (except in the Colleges) to enter for any Examinations whatever, and numbers must have left the University knowing little more than when they entered it.

While we are upon the subject of medieval Latin, it may be well to remove some popular misconceptions. Among the students of a University and among the clergy generally (in so far as they spoke Latin at all) much villainous Latin was no doubt talked, just as much villainous French is or was encouraged by the rule of French-speaking in

1 Englishmen then pronounced Latin in the continental way. See the testimony of Dr. Caius, in whose lifetime the melancholy change took place. Hist. Cantab. p. 124.


3 This Chantry or College, consisting of a Chaplain and two Scholars, was founded in the Church of S. Bredgar (dio. Canterbury). For admission to the College itself, the boys must 'competenter legere et cantare,' and be not less than seven years of age. Lit. Cantuar. ed. Sheppard, III. p. 17. Elementary medieval education began with the Latin Psalter.
English 'Seminaries for Young Ladies.' But the Latin which was written by the Theologian or Historian, the Latin of the Secretary's letter or the episcopal ordinance, was not so bad as is commonly supposed by those who have only heard it abused. The period of gross ignorance of wrong inflexions and barbarous constructions, had passed away long before the beginning of the University era. Both the excellences and the defects of thirteenth-century or fourteenth-century Latin were due to the fact that Latin was still a living language, though its use was confined to the clerical class. J. S. Mill has rightly praised the Schoolmen for their unrivalled capacity in the invention of technical terms. The Latin language, originally rigid, inflexible, poor in vocabulary and almost incapable of expressing a philosophical idea, became in the hands of medieval thinkers flexible, subtle, and elastic. And this enrichment of the language, which has had such immensely important effects upon the tongues of modern Europe, was carried on not only in the Schools by the Sophists and Theologians, but (no doubt with less wholly satisfactory results) in the epistles of the ecclesiastic and even in the conversation of the ordinary schoolboy, until Latin as a living language was killed by the Ciceronian pedantry of the sixteenth or seventeenth century. The barbarism which shocks the modern scholar in the pages of the average medieval scribe consists in the introduction of new words of vernacular idioms and combinations, and above all of new forms or derivatives of good Latin words demanded by the exigencies of new ideas, rather than in the violation of the ordinary rules of Syntax or Accidence. There were of course different degrees of knowledge or ignorance even among the educated men of the Middle Ages. The average 'Artist' heartily despised the mere Grammarian or Schoolmaster: the niceties of Latin syntax were beneath his notice: punctilious accuracy in such matters seemed unworthy of a philosophic mind. Consequently he wrote worse Latin than the monastic historian who perhaps loved his Virgil better than his Angelical Doctor. But still the
ge Oxford graduate could probably write Latin which
entirely adorned by the kind of blunders which the average
passman will make in every third line. And the
of serious medieval books after the eleventh century
usually correct and its syntax free from most of the
kes which are taken cognizance of at Responses 1.
the Universities (as has been seen) Grammar formed
of the subjects of Examination for degrees in Arts:
students of that Faculty were still (in the earlier part
their course) required to attend Grammar lectures
rently with the course of Logic and Philosophy 2.
were, however, in every University town, as in other
he places, Grammar Schools proper, intended for
imentary instruction of young boys and quite distinct
the Schools of the Faculty of Arts. In many cases,
by usurpation or special privilege, the University
red jurisdiction over these Schools. This was the
in most German Universities. In others they re-
ed under the ecclesiastical inspection to which they
en subject before the rise of the University cor-
s. Thus at Paris the Chanter of Notre Dame
ed his control over the 'Petty Schools,' including all
ntary or Grammar Schools in the City, whether boys'
os kept by a Master or girls' Schools kept by a Mis-
. There was, of course, a special Cathedral Grammar
ol for the Choir-boys under his immediate supervision,
e also granted Licences to independent Masters or
esses (the former might or might not be University
reason for thinking that Oxford Latin
was worse than Parisian.
Jourdain, Nos. 673, 738. A list
of 42 Masters and 21 Mistresses
licensed by the Chanter is given by
Felibien, Hist. de Paris, III. p. 449.
'Mixed' Schools were not allowed
without special dispensations. Ib.
p. 447. Joli was Chanter of Paris,
and wrote his Écoles épiscopales to
defend the rights of the Chantership.
Cl. Chartul. T. III Nos. 1237, 1713.
graduates), and made rules for the conduct of the Schools, just as the Chancellor had done in early days for the Schools of Theology and Arts. At Cambridge the Grammar Schools were under the immediate control of an official who has caused great perplexity to the antiquaries of that University—the 'Magister Glomeriae' who was appointed by and responsible to the Archdeacon of Ely.  

At Oxford also it is probable that the Archdeacon had originally, as part of his general ecclesiastical jurisdiction, a control over the Grammar Schools; but here the Chancellor of the University was too powerful for him to retain it. At the beginning of the fourteenth century we find the University legislating for the Grammar Schools, and appointing two Masters from among its own graduates to superintend them. These 'Superintendent Masters' were remunerated by a tax levied upon the earnings of the inferior class of ordinary Grammar Masters. Medieval scepticism brought even Grammar into the region of debatable matter; and the Masters of Grammar were required to attend disputations in their Faculty every Friday and periodically to observe a 'convenite,' i.e. a kind of primitive Head Masters' conference held twice a Term, to discuss matters of professional interest. Their pupils were brought within the privilege of the University by being nominally enrolled in the Matricula of a Master of Arts if


2 I infer this from the fact that the first dated Statute for the Grammar Schools: 1306 A.D. was passed 'In praesentia venerabilium virorum Domini Archidiaconi Oxonie sacrae theologiae professoris . . . scilicet Magistri Gilberti de Segrave, et Magistri Gilberti de Mideltona, tune officialis Domini Episcopi Lincolniensis' (*Mun. Acad.* pp. 85, 86).

3 *Mun. Acad.* pp. 85–87, 437–443. An endowment was left for the payment of the Superintendents in 1321. Doc. printed by Little in *Eng. Hist. Rewew*, VI. 1891, p. 153. This office was afterwards amalgamated with that of the 'Magistri Scollarum Augustiniensem,' and the salary transferred to them. *Mun. Acad.* p. 363. These were the Masters who presided over the Disputations of Bachelors at the Austin Convent (see above, p. 555). As misunderstandings have arisen on the subject, it should be mentioned that the Austin Friars never had anything to do with these disputations beyond lending their schools. For 'convenites' among the London Masters of Grammar, see Appendix XVIII.
their own Master was a non-graduate. Otherwise they were not what we should describe as members of the University. The Masters had no seat in Convocation: the boys were not keeping terms in any of the recognized Faculties of the University. The only difference between the position of their Schools and that of Grammar Schools elsewhere was that their Masters were licensed by the University authorities instead of by some ecclesiastical dignitary. Sooner or later, however, it would appear that the process of admitting the Masters was assimilated to that attending admission to the regular degrees of the University. In the fifteenth century we hear of regular Examinations for the degree. In the sixteenth century there was a Bachelor's degree as well as a Master's: and solemn Inceptions took place at which the Master received as a symbol of his office, not a book like Masters of the other Faculties, but two to him far more important academical instruments—a 'palmer' and a birch, and thereupon entered upon the discharge of the most fundamental and characteristic part of his official duties by flogging a boy 'openlye in the Scolys.' Having paid a groat to the Bedel for the birch and a similar sum to the boy 'for hys labour,' the Inceptor became a fully accredited Master in Grammar. When the Mastership of Grammar had become a kind of inferior degree of the University, it was sometimes sought for by Schoolmasters in other places as an honorary distinction. These men were not necessarily required to reside in the University. Schoolmasters of a certain standing were allowed (like Doctors of Music at the present day) to come up and take the degree after performing some exercise prescribed to them by the University. The exercise generally consisted in writing 100 verses in praise of the University. Had the ambition to take these degrees in Grammar been widely diffused, the demand for whipping-boys might have pressed rather hardly upon the youth of Oxford: but

1 *Mun. Acad.* p. 445. It is interesting to note that some of these boys were boarders in the Masters' houses (commendes). For Grammar Degrees at Vienna, cf. above, p. 241.
very few of them are mentioned in the University Register ¹.

There is no reason to believe that boys came to attend these inferior Grammar Schools in the University town except from the immediate neighbourhood. The majori of scholars must have learned reading, writing, and the rudiments of Grammar nearer home ². As to where and how the

¹ The documents do not enable us to trace the history of these Grammar degrees with the fulness which one would like. The term ‘incipere’ is used of a Grammar Master in undated Statutes (Mun. Acad. p. 443), which had passed out of use before the middle of the fourteenth century, and which may well be extremely ancient. The undated but much later Statutes in Mun. Acad., pp. 436–442, regulate the examinations and speak of a Licence by the Chancellor. The account of the Inception ceremony is taken from Stokys’ Book, the production of a sixteenth-century Bedel and Registry of Cambridge. (Peacock, Observations, App. A.) An entry in the Oxford Register in 1501 shows that a similar custom was then in use at Oxford. A dispensation was granted in favour of a supplicant for the Mastership of Grammar, that ‘traditio ferule cum virga sufficiat ad creandum unum magistrum grammaticos, non obstante quocunque statuto in oppositum. Una condicio est quod componat 30 versus, alia est quod disputet die veneris proxima’ (Boase, Register, I. p. 64). For other instances of Grammar degrees, cf. Boase, ib. p. 298. In some cases a degree ‘in arte rhetorica’ appears to have been given, and in these cases the graduate ‘insignitus est laurea’ ib. p. 299. The last degree in Grammar is in 1568. Ib. p. 269. Mr. Clark (Register, II. pt.i. p. 8) says, ‘I have found no trace of a “Master” of Grammar.’ He appears to have overlooked the above-cited instance given by Mr. Boase Register, I. p. 6.

² The formula ‘admissus ad dictum’ or ‘ad instituendum psue in grammatica,’ probably implies the Master’s degree. At Camb. Inception in Grammar is mentioned in 1407, Reg. Ely (Fordham l. c.), but I am convinced that they in Grammar Schools] were attached to every monastery, and that in extraordinary number of foundation schools established just after the Reformation of 1547 was not a zeal for a new learning, but a fraud and very inadequate supply of the which had been so suddenly and disastrously extinguished’ Thor. Rogers, Six Centuries of Wages. London, 1884, I. p. 16.

This is strongly confirmed by the statement of the Speaker in 1565 who told the Queen that at least hundred [Schools, were wanting England which before this time had been’ (Stryke, Annals of Education, Oxford, 1884, I. p. 41). For the large number of pre-Reformation Grammar Schools, see list of thirty-six founded before 1559 given by Furnivall, Education in Early England, London, 1867, p. 164 and for further details as to the origin, Carlisle’s Endowed Grammar Schools in England and Wales, London, 1818. Cf. also Edgar, Education, passim. As the mistake often made, it may be added that Grammar Schools connected with monasteries were secular Schools taught by secular Masters, and quite distinct from the Schools of the mon
edge was acquired, we have little detailed information. Investigation into the Grammar Schools of the Middle would be a subject for a separate treatise. Suffice it that the old ecclesiastical Schools, in connexion with Cathedrals or other important Churches, were not founded by the growth of the Universities, and others of the same kind were founded from time to time. As the Universities were within easy reach, they were only restricted for the most part to the study of

its remote from Universities there were ecclesiastical Schools of a higher type, which certainly taught a full course of Grammar, and in some cases perhaps the whole range of a University Arts Course. In some cases the bulk of the inferior clergy must have received education in such Schools. At Vienna, Erfurt, and elsewhere. Schools of this character became a nucleus for Universities.

ere there was no Cathedral, Grammar Schools were connected with some Collegiate Church or to ordinary Parish Churches. Sometimes there was an endowment for such are: elsewhere they were supported by the Muni-

ity, or, in places like Canterbury or Bury, by the Abbeys. In other cases, no doubt, they were taught me poor 'parochial chaplain' in return for the fees alone. Even in country parishes the Canon required that the parish clerk should be able to teach

quisque Presbyter, qui regit, clericum habeat, qui cantet, et epistolam et lectorat, et qui possit scholas ad fidem discendam et Ecclesiaram: quos ipse cum astititatem erudiat' (Decret. X, Lib. III. tit. 1.). A gloss

olas: docendo pueros Psalm: et cantare' (Joli, p. 382). The spirit of the method pursued in elementary schools with the use in our day is illustrated by the following: 'Et post breve intervallum resumebant istud idem, et cantabant: pater, pater, pater; ec modo, quo pueri, qui instruuntur in scholis a magistris grammaticali-bus, solent facere, cum per intervalla clamando repetunt quod dictum est a magistro' (Salimbene, Chron. pp. 116, 117). It is noticeable that even the Grammarians on the College foundations were required to know some Grammar on admission. Thus at the College de Boissi: 'nullus vero Grammaticorum recipiatur in
the boys to read as well as to sing their Psalter. How far
such regulations were actually carried out, it is of course
impossible to determine with precision. But it may be
stated with some confidence that at least in the later
Middle Age the smallest towns and even the larger villages
possessed Schools where a boy might learn to read and
acquire the first rudiments of ecclesiastical Latin: while,
except in very remote and thinly populated regions, he
would never have had to go very far from home to find
a regular Grammar School. That the means of educa-
tion in reading, writing, and the elements of Latin were
far more widely diffused in medieval times than has
sometimes been supposed is coming to be generally recog-
nized by students of medieval life. The knowledge of
reading and writing and of the elements of Latin was by
no means confined to the clergy: 'the bailiff of every
dicta domo nisi Donatum et Catonem
[i.e. Dionysius Cato, see above,
vol. I. p. 72] dedicerit' (Bulcheus,
IV. pp. 354, 355). Richard de Bury
says that in his book-hunting en-
quiries he did not neglect 'rectores
scholarum ruralium puerrorumque
rudium pedagogos' (Philobiblon, ed.
Thomas, p. 79).

1 E.g. we hear of Schools 'gram-
maticae et logicae' attached to a
parish Church at Angers, the 'col-
lacion' of the Mastership belonging
to the Dean of S. Peter's. Rangeard,
II. p. 187. This may be taken as
a specimen of the higher class of
Church School. The distinction be-
tween the higher and lower class of
Grammar School is well described in
a decree of the Papal Legate Guido,
who in 1267, on the petition of the
Dean and Chapter of Breslau, ap-
points 'ut infra muros ciuitatis Vra-
tialuiensis iuxta ecclesiam sancte
Marie Magdalene scole fiant, in
quibus pueri paruuli doceantur et
discant alphabetum cum oracione
donica et salutationem beate Marie
virginis cum symbolo psalterio et
septem psalmia, discant etiam ibidem
cantum, ut in ecclesiis ad honorem de
legere valeant et cantare. Audiant
etiam in eisdem scolis Donatum,
Cathanem et Theodulam [a poet
of the ninth century, author of
Ecloga, qua comparantur minervae
V. T. cum veterum psallorum com-
mentis] ac regulas puere. Qui
predicti puere si maiores libros audire
voluerint ad scolas sancti Johannis
in castro Vratialuiensi se trans-
erant, uel quocumque voluerint.'
The reason alleged for the change
is the inconvenience previously
experienced through the 'parvuli'
having to be sent to schools (sup-
ported by monasteries: outside the
walls. The Scolasticum of the
cathedral is to have the appoint-
ment of the Rector of the new
School. Breslauer Urbundensbuch,
ed. Korn, Breslau, 1879, p. 85. As
to the smaller Grammar Schools of
manor kept his accounts in Latin. A Grammar Master often formed part of the establishment of a great noble or prelate, who had pages of gentle family residing in his house for education. In other cases a boy of a well-to-do family no doubt received his earliest education from a chaplain or 'clerk' of his father, or from a private tutor or neighbouring Priest engaged for the purpose.

In the Grammar School the rudiments of a classical education were imparted in much the same way as at the present day. Donatus and Alexander de Villa Dei were the Grammars. After the Psalms had been learned (this much was taught in the most elementary Schools of all), Cato served for Delectus, after which the boy might be put into Ovid and possibly Virgil. In the absence of dictionaries the Master no doubt literally 'read' the book to the pupils, i.e. construed it to them and afterwards required them to do the same. In England books were construed into French as well as English. Questions were asked in parsing and exercises set in prose and verse. Disputations in Grammar—perhaps something after the fashion in which candidates for Queen's Scholarships at Westminster till lately 'challenged' each other with hard questions—were also a favourite institution. After the boy had once entered the University all this ceased. No more classical books were construed, and we hear comparatively little of composition, though verse-making sometimes entered into University Examinations. Lectures in Grammar meant formal lectures on the elaborate grammatical treatises of

---

1 Stubbis, *Constitutional Hist. II.* p. 345.
2 See Furnivall, *l. c.* p. xi sq.
3 See above, vol. I. p. 72. At Perpignan 'Bacallarii legentes in lectorio minori legant auctores consuetos, videlicet: Cathonem, Continentum, et Thobiam [*a Renaissance poet, pupil of Guarinus of Verona*], et teneatur facere duo proverbia de mane et duo de vespere et reaudire lectiones lectas et probare nomina vel verba in proverbiis supradictis' (*Fournier, Statuts des Univ. franç. II.* No. 1485).
Ch. XIV. Priscian and Donatus, or the more popular Alexander de Villa Dei. But we have already endeavoured to show what and how a University scholar studied. Let us follow him to the University and see how he lived.

Life in the University.

In the first place, it is natural to ask the age at which a boy usually went up to Paris and probably most other Universities. Twenty was the minimum age for the Mastership, and the full course in Arts lasted seven years. Thirteen might, therefore, be considered the normal minimum age for admission: but the Paris Statute, which requires the 'determining Bachelor' to be at least fourteen\(^1\), distinctly implies that some went up much earlier than this. Many would naturally have been older. On the whole it appears that the age of admission varied much more considerably than is now the case: but as a rule the freshman would be between thirteen and sixteen\(^2\).

Quite young boys might, indeed, be Canons or Rectors of Parish Churches: and in such cases entered as students in Arts like other boys of the same age. But ecclesiastics of all ages frequently obtained leave of absence to study in the Universities, and the older men naturally became students of Canon Law or Theology. Between the years 1372 and 1408 there appear, on the matriculation-book of the Faculty of Law at Prague, the names of one Bishop, one Abbot, 9 Archdeacons, 23 Provosts, 4 Deans, 209 Canons, 187 Rectors, 78 other secular clerks, and 25 regulars. So in the comparatively small University of Angers 138 beneficed persons (besides Canons of the Cathedral) obtained exemption from the Tenth in 1413\(^3\). In the Register of the German Nation at Bologna more than half of the students are benefited, most of them dignitaries or Canons. Such men (whether graduates in Arts or not) were of

---

2 At the Coll. de Laon, scholars before entering on the Arts course are to be 'ad minus pueras'. Jourdain, Index, p. 107.
3 Fournier, l. No. 457.
course, at least when living in their own houses and not in Halls or other communities, only subject to much the same discipline as the University or the ecclesiastical authorities imposed upon Doctors and Masters: and many of them were among the most disorderly and troublesome of the academic population. In lecture the Statutes vainly prescribed that they should sit 'as quiet as girls'; and spiritual thunders had at times to be invoked to prevent them from 'shouting, playing, and interrupting.' In what follows we are contemplating chiefly the career of the ordinary Artist who usually entered the University at a more or less early age.

State of Discipline in University Halls and Colleges.

When we have grasped the fact that the medieval student in Arts was usually much younger than the modern undergraduate, we are very apt to fall into the mistake of seeing in him merely the modern public-school boy, taught Aristotle instead of Cicero, and disputing sophisms instead of writing Latin verse. Such a view would, however, involve a complete misconception of his status. When we remember the youth of the medieval freshman, the unfettered liberty—not to say licence—which he originally enjoyed, is certainly one of the most astonishing facts about him. In some cases we do, indeed, hear of his being escorted from home by a 'fetcher,' 'caryer,' or 'brynger'; but the roads were dangerous, and protection of some kind was necessary even for men, while travelling in a carrier's cart was of course cheaper than riding. The proclamations against bearing arms often contain exceptions in favour of students travelling to or from the University. On arrival at Oxford or Paris our student had full liberty (unless his parents had

1 *Mon. Univ. Prag. I* pt. i. p. 13; Tomek. p. 35. Odofredus (Sarti, T. I. pt. i. p. 41) tells a story which illustrates the mode of ironical applause or dissent in vogue at Bologna: 'scholares pulsabant libros contra eum.'

made some provision for him, which would have been an impossibility for all but the rich) to choose the Master to whose lectures he would go, and the Hall or Hospicium to which he would attach himself.

While temporarily established at an Inn before finding permanent quarters for himself, he would very probably be visited by some touting Master or one of his students (who no doubt expected a commission on any business which he might introduce), anxious to secure the new-comer for his own Hall or lecture-room. In the matter of lectures, indeed, a trial was respectfully solicited with all the accommodating obsequiousness of a modern tradesman. The pseudo-Boethius of the thirteenth century represents a scholar as advising freshmen not to commit themselves to a Regent before they had attended his lectures for three days experimentally; and the Statutes of some Universities provide that fees shall not become payable till after the expiration of that or some longer interval. With regard to residence, indeed, it was in the earlier period not necessary or even customary for the student, however young.

1 The first Parisian Statute against the practice was passed in 1290. Bulusius, III. p. 497; Chartul. T. II. No. 570. So in 1452: 'Item circa predictos Pædagogos et domorum Principales magistros, statuimus et ordinamus, ne tanquam ambitiosus aut queststi turpiter inhiantes per mansiones et loca concurrant, aut Tabernas et Hospitias circumcarent per se vel per alios, ad rogandos sibi Scholares.' At the same time migration was forbidden. Bulusius, V. p. 572. So at Orleans: 'Nee doctor scholarem aliquem visitabit, antiquam scolas suas vel doctoris alterius sit ingressus,' unless a relation or intimate friend. Fournier, I. No. 116. And at Bale: 'Nullos Magistros aut Scolares... debere per se aut alium directe vel indirecte aliique practicare vel attrahe Scolares advenientes vel qui de novo adverterint sue vie aut burse applicare, aut isdem occurring in ponte Reni aut quibusvia alia locia' (Vischer, Gesch. d. U. u. Basel, p. 153).

2 Migne, T. 64. c. 1332. At Bologna the Artist Statutes provide 'quod quilibet scolaris possit ex-perientiam facere de doctrina cujuslibet doctoris et repetitoris spatii quindecim diem,' without fee Stat. p. 240. So Odorredus insists strongly upon the advisability of students exercising their private judgment upon the matter: 'Scolaris quin libet debet audire et modorum cujuslibet inspiciere, et qui si [leg. sibi] plus placebit ille debet per concilium eligi, et opinione propria non alterius, non pretoio... vel praebitis doctoris vel alterius' (Procem. inst. ad Dign. 1158. ap. Coppi, La Università Ital. p. 257).
THE HALLS AND THEIR PRINCIPALS. 607

under the nominal supervision of a Master¹; he
seek out his own lodgings in the town or join a party
lents in hiring a Hall².

he Hall or Hospicium one of the party was, indeed, The Hos-
plia and their Principals.
st. But the Principal was merely the student who
made himself responsible for the rent. His authority
have been derived from the voluntary consent of his
students. The owner could, indeed, transfer the
a new Principal upon the retirement of the existing
but, since there was nothing to compel a student
ain in the Hall, the consent of the community was
ely necessary to the appointment. And in practice
cars that, upon the occurrence of a vacancy, a new
al was elected by the whole community just as the
is elected by the Fellows of a College. At Oxford,
after the effective nomination to the Principalship
en secured by the Chancellor in the reign of elth³, it was still considered necessary formally to

pseudo-Boethius advises the
to see as much as he can of
ster 'mansionique eijus, si
er sincerat cohabitando, ut sic
es non solum se remordeat,
iem si locus aduerit ad eum
inquirendo' (Migne, T. 64).

instance, the scholar who
d a woman at Oxford in
s attacked 'in hospitio suo,
m tribus sociis suis clericis
.' Roger de Wendover, ed.
Chancellorship of Leices-
öd II. 292 sqq. . The records of
ion of the Principals of Hart
own to the appointment in
Richard Newton, the first
of Hertford College, state
Principal was 'elected.'
form is that the election
nformed.' See below, Ap-
XXVI. So by the earliest
Statutes of Balliol (p. v; the Scholars
are to elect and obey the Principal
'secundum statuta et consuetudines
inter ipsos usitata et approbata.'
We get another allusion to such
Statutes made by the Aulares
themselves in Mun. Acad. p. 470 'headed
'ex privilegiis Universitatis in
temore Edwardi primi concessis'),
where the Chancellor is authorized
to over-rule any Aulian Statute
and make new ones. 'et istud privi-
legium concessum fuit Cancellario
quad olim Principales aularum et
Scholares feecerun statuta derogantia
officio et potestati Cancellarii.' So
at Vienna: 'Singulæ conclusiones
honeste et licite per Conventorem
alicujus Bursæ conclusæ ex votis
majoris partis Bursæ sortiantur
effectus executionis, nullo contra-
dicente' (Kink, I. Pt. i. p. 38).
At Cracow we find the consent
of students necessary to the pur-
Ch. XIV. convoke the members of the Hall, graduate and undergraduate, and require them to elect the Chancellor's nominee. The form has been gone through within living memory. There are, indeed, distinct traces that at one time the government of the Hall was a democracy: the power of the Principal being limited to the enforcement of Statutes freely accepted by the community. It is likely enough that in practice the Principals in the Artists' Halls were usually Masters or at least Bachelors; but it was not till the fifteenth century that the Universities began to restrict the Principalship to Masters. We have already noticed that it was at about the same period that measures were taken both at Oxford and at Paris to suppress the class of martinets or chamberdekyens, and to compel all students to reside either in a College or in a Hall or Pedagogy presided over by a Master or at least a graduate. The Statutes of the German Universities throw still further light upon what was probably the state of things at Paris and Oxford before the universal requirement of residence. They for the most part enforce residence in Hall or College on all students in Arts, with the exception of two classes—the sons of nobles or rich men who lived with a private tutor in houses of their own.

chase of plate, furniture, table-linen, &c. Regestrum Bursae Crucivensis, Budae. 1821. By the Oxford Aulian Statutes, each Scholar was to have 'discos de propriis' f. 6a. Eventually such things came by custom to be the property of the Hall, and passed from one Principal to another. On all these matters, I know of no evidence as to Paris, but the system was probably much the same as at Oxford.

1 It is evident, however, that the Statutes were long very imperfectly observed. In 1485 we hear, 'quod multi in merito starent extra collegia et essent vagabundi errabundi et . . . starent cum quibusdam mulieribus in domibus carum et quedam mulieres tenerent pedagogia et collega quedam' (MS. Reg. Nat. Angl. No. 10. f. 35b, Archives at the Sorbonne).

2 Cf. a decree of the University of Vienna: 'Anno 1401, 29 Maii: congregatione Universitatis decissit, quod ille teneret status nobilium, qui tenet unum Magistrum in expensis et ad minus duos familiaros' (Kink. Gesch. d. Un., 1801, Pt. i. p. 117. So at Cologne, A.D. 1457, students are required to reside in Masters' Bursae, except poor students or nobilibus aut personis egregiis cum honesta familia ad studium missis; quos suorum regestium relinquimus arbitrio.'
and the poorest students who could not afford the cost of residence in a Pædagogy. With the great mass of students of moderate means residence in a Hall was already the established rule long before it was actually enforced by University Statute.

But even when the medieval undergraduate was fairly imprisoned in his Hall or Pædagogy, it must not be supposed that he was forthwith subjected to the discipline of the modern schoolboy. On this subject, indeed, there seems to be an almost universal misconception. It is known that there was a time when undergraduates in Universities were birched; and it is a somewhat natural assumption that the further we go back, the more Spartan will the discipline be found. Such a supposition is, however, wholly opposed to all the evidence within our reach. As to University discipline, as we should understand it, there was in the thirteenth century really no such thing. For offences against the ordinary civil or ecclesiastical law, the undergraduate was of course subject to imprisonment or excommunication like other clerks. Offences against the Statutes of the University were punished in the earliest period chiefly by excommunication, and later on chiefly by fines: but the earlier University Statutes hardly attempted to interfere with the private life of students, except with the view of preventing actual outrage or breach of the peace, and perhaps of enforcing clericality of dress. It is only in reference to the Grammar School that we meet with any allusion to flogging; it is the Grammar-master who was presented with the birch as the symbol of his office. Among the personifications

of the Seven Arts which adorn the front of Chartres Cathedral, Grammar alone carries a rod.\(^1\) There has always, indeed, been considered to be some peculiar and mysterious connexion between the rod and classical scholarship; a former age might have even attributed the decay of classical scholarship in the medieval Universities to the absence of this stimulus. Certain it is that it was at about the time when classical studies began to revive that the rod reappeared in academical lecture-rooms. In all the University records of the Middle Ages there is not a single hint or allusion to corporal punishment until

\(^1\) In the poem of Theodulfus, *De VII Liberalibus Artibus* (*Mon. Germ. Hist. Pont. Lat. Med. Ævi* , I. p. 545), Grammar is thus described:

> Huius læva tenet flagrum, seu dextra machæram,
> Pigros hoc ut agat, radat ut haec vitia.'

So Mapes, in *Apocalypse Goliæ Episcopi* ed. Wright, 1847, p. 3:

> Hic Priscianus est dans palmis verbera,
> est Aristoteles verberans aera.'

Kauffmann is the first writer who has pointed out the absence of corporal punishment in the ordinary discipline of medieval Universities, but he has omitted the needful qualifications. The severity of the discipline in the Grammar Schools may be estimated from the terse Statute of the College attached to the Cathedral School of Reims: *Singularis noc-titus disciplinas accipiant* (*Varin, Archives Administratives de la Ville de Reims*, I. p. 662 sq.). It would appear, moreover, that if the *magnus Magister* found at the Saturday examination that the boys under the *parvi Magistri* did not know their lessons, *verberabit pueros et magis magistrum quosum* (Robert de Sorbonne, *De Consentientia*, in *Biblio-

\(\textit{thea Patrum*, XIII. 1618, p. 384}.

In this discourse, according to the text of Bulleus, III. p. 227: there occurs the startling statement that

> 'si aliquid refutatur a Cancellario Parisiensi, verificarur; but from the text of the *Bibl. Pat.* it appears as, indeed, is demanded by the context

that a *non* has dropped out. The *De Disciplina Scholarum* shows clearly enough that no corporal punishment – indeed, no punishment at all—was possible in the Arts Schools. *Magister Franco in insmansuetudine prodeat in exemplum, qui ob discipulorum suorum nobilis tate sua utentium irrefrenabilem arrogantium laqueo se suspenderet, sapientius autem egisset si mansuetudine usus fuisset* (*Migne, T. 64, c. 1235*). It is true that the *Master* is required to be *rigidus . . . st . . . protervientes castiget,* but other instances of the use of *castigare* show that it is probably not to be taken literally, and the remarks which follow, on the treatment of late scholars, make it plain that the Master had very little control over his scholars. It is only the *Master* who leaves the University to teach as a schoolmaster or tutor whose pupil *parentem assensu virgis affgetur* (*ib. c. 1237*).
seventeenth century. Then, indeed, the University of which was now for the first time making a serious to put down the disgraceful faction-fights which the favourite pastime of the medieval student, rare occasions in solemn Congregation order thatctor and Proctors should go to the Colleges or ogies of the offenders—offenders, it should be d, who would now be liable to long periods of nment or penal servitude—and there personally tend the chastisement of the youthful rioters voes. It is not till 1469 that we find similar is denounced for a mere University offence. In ar a new Statute was passed against the festive trics of the ‘Feast of Fools,’ and even then it is l by University authority, not by individual Masters cipals. So at Louvain we find one or two cases of ordered by the Faculty of Arts for homicide or grave outrage. These are the exceptions which he rule. They are new and extraordinary exercises ority on the part of the University at large. It is as certain as such a matter can be made that the as quite unknown to the ordinary discipline of the ity till towards the close of the fifteenth century or

ntum ad secundum articu-eravit Facultas, quod trans- sue conclusionis, seicet arma et assumentes habi-rum, qui presentes sunt, ir publice, in loco publico, co Straminis vel in Sancto t in domibus eorum, coram Facultatis; post correcti-o susceptam, humillime si erit predicti transgres-so admissione ad gradus, Facultas mite cum eis. Facultas istos correctos misit, si fuerit sufficiences, vel baccalarius vel magis-rdian. No. 139. An 1469. An 1469. in 1487, the Rector Proc. ‘Pedagogues’ are given a general power ‘ad corrigendum, reformandum, et ad deponendum omnes abusus Universitatis absque ulteriori congregacione Facultatis’ (Bulaeus, V. p. 784). It is obvious that they were not previously sup-posed to possess such power. Goulet dates the general reform of University discipline from this period, and there can be no doubt that it con-stitutes an epoch in University history.

later. Even then such discipline continues to be the exception rather than the rule.

A few illustrations of the way in which even grave outrages were dealt with may illustrate the last statement. At Ingolstadt, a student having killed another in a drunken quarrel at a symposium, the University resolved on the confiscation of his scholastic effects and garments, and therewith contented did not proceed to the punishment of expulsion. It is satisfactory to add that a Prague Master of Arts, believed to have assisted in cutting the throat of a Friar Bishop, was actually expelled. The Statutes of the German Universities are far more precise and detailed on matters of discipline than any that have come down to us from Paris: it was perhaps natural for new Universities to embody in formal Statutes regulations which had been merely sanctioned by custom and tradition in the older bodies from which they sprang. We see in these Statutes—ranging from the last decades of the fourteenth to the end of the fifteenth century—a progressive attempt to introduce reasonable order into the undisciplined student-hordes of the earlier Middle Age. But the aims of medieval disciplinarians were—considering the youth of the pupils—of a very moderate order. It was as much as they could do (even in the fifteenth century) to compel the students to live in Halls presided over by Masters, to prevent students expelled from one Hall being welcomed at another, to prevent the Masters themselves condoning or sharing

---

1 Quidam studiosus Johannes Hohenburger Ambergensis, in symposio, cum ex altercatione verbali ad arma et pugnam deuentum esset, in ipsa dimissione Christophorum Tolts itidem Studiorum interfect. Facta est rerum ipseius Scholasticarum et vestium confiscatio, et ea contenta Universitas ad exclusionem paenam non processit 1479 Rotmarus, Annales Ingolstadiensis Academiae. I. p. 19. To prevent exaggerated inferences from a solitary case, it may be well to contrast the Leipzige Statute, quod cum pedit repertus in homicidio remittatur ad episcopum perpetua curren bus mancipandum (Zarncke, Statenbücher, p. 60. It is, however, unlikely that such a sentence was ever carried out. At Greifswald, a student who killed another in a quarrel was fined 300 florins (Kosegarten, II. p. 188.

---

2 Mon. Univ. Prag. I. Pt. i. pp. 99. 100
rsth excesses of their pupils, to compel fairly regular presence at lectures and other University or Colleges, to require all students to return home by at 8 or 9 p.m.\footnote{1}, to get the outer doors of the Pædag·

*ock till morning, and to insist on the presence of nt throughout the night\footnote{2}. In some cases students expelled to dine in their Hall. and attend the subse-

disputation.\footnote{3} When the early habits of the com-

generally are remembered, it will be evident how liberty or license these regulations still allowed to fifteen or sixteen living in the very centre of large

densely populated towns. They were in general per-

free to roam about the streets up to the hour ch all respectable citizens were in the habit, if not compelled by the town statutes, of retiring to bed.

ight spend their evenings in the tavern and drink as they pleased. Drunkenness is rarely treated as vice; offence at all. In some Statutes it is only hird offence that a student is expelled for intro-

suspected women into the Pædagogy. The regular

erfurt it is enacted: ‘Primo panam, que dicitur quinque nullus scolarias absque no-

vel racionabili causa vadam as, et si causam rationabilem vadam cum lumine aperto et

onesta’. Project for original in Weissenborn, Acten. II. 0 at Leipsic, College doors shut at 9 in winter, and

mer Zarncke, Statuten 18a. 9 p.m. was the general the Colleges of Paris and in the latter it is still though ingress is allowed

Occasionally the hour of s earlier. At the Coll., de

in 1379 the gate is to be st occasum solidi,’ and ad to all who wanted to go in

owards - the first instance et with of the still extant house known as a ‘Gate-

bill’. The Narbonne Statute goes on to provide an increased penalty of 3 solidi ‘si quis enormiter pulsas verit vel gravem strepitum duxerit,’ and of $\frac{1}{4}$ mark ($plus$ repairs) for breaking the gate, (Felibien. V.p 666).

At Heidelberg in 1453: ‘ Item quod in qualibet bursa vel eciam alia domo in qua scolares communiter dormiunt vel vivunt, in prandio et in cena sit ad minus vnus regencium cendem presens, mane atque in illa in hyeme a tempore cene, et estate a pulsu campane vini per integrum noctem’ (Hautz. Gesch. II. p. 395). The same Statutes provide for evening ‘exercitia seu resumpeiones.’

E. g. at Rostock. Westphalen, Diplomatarium, col. 109q. These Statutes seem to be given as the original Statutes $circa$ 1419, but some things in them suggest a later date.
patrol of the Proctors with pole-axe and armed attendants
seems to be almost peculiar to the English Universities. In
Louvain, and probably many German Universities, the
repression of ‘night-walking’ was entrusted to the ‘Pro-
motor’ of the University. The penalties which are
denounced and inflicted even for grave outrages and
immoralties are seldom severe and never of a specially
schoolboy character. In the most serious cases there
was imprisonment or excommunication; offences some-
what less serious, including many which would now be
treated as crimes (except, indeed, in Universities), are
punished by postponement of the degree, expulsion from
the College or Pedagogy, temporary or permanent ban-
ishment from the University town; while ordinary breaches
of discipline are expiated by fines.

Very curious is the minuteness with which in many
University or College Statutes a graduated scale of pecu-
niary penalties is adjusted to the various degrees of under-
graduate enormity. Thus, in the Statutes of the Collegium
Minus at Leipsic, drawn up in 1438, we find a fine of
10 new groschen provided for the offence of lifting a stone
or other missile with a view of throwing it at a Master, but
not actually throwing it. For throwing and missing, the
mulct is increased to 8 florins; while a still higher penalty
is provided for the more successful marksman. A later

1 In 1536 we find a citizen com-
plaining that ‘the proctor did thrust
his pole-axe at him.’ Doc. quoted

2 Promotor per dominum Recto-
rem jussus, notu plateas obam-
bulet, cum praetore vel sine praetore.
... Quod si aliquem nocte illa ap-
prehenderit, habeat ipse ab appro-
henso octo stuferos et quilibet
famulorum ejus quatuor stuferos
(Stat. in Molanus, Hist. Lovani-
sium, ed. Ram., II. p. 907).

3 In some German Universities
there was a kind of genteel Univer-
sity prison for short periods. Thus

at Leipsic, a student may be required
’sedere in turri’ for any period not
exceeding six months. Zurich.
Statutesbuecher, p. 55. Offenders were
politely invited to go to prison a
custom still observed in some Ger-
man Universities, refusal involving
expulsion. Ib. p. 57.

4 Item levans lapidem, causa
aut consimile animo proiciendi post
corpus alium magistrum, non tam
proiciens, dabat collegio pro poena
10 novos grossos. Si vero procerer
et corpus non tetigerit, dabat collegio
8 florenos pro poena. Si autem
ipsum tetigerit citra vulneraciones,
COLLEGE DISCIPLINE.

...further distinguishes between 'hitting without slapping' and 'wounding without mutilation,' for which penalty rises to 18 florins, together with compensation for injured Master, while only for actual mutilation is penalty of expulsion denounced. The Statutes of a contemplate the possibility of flogging for the very first class of students. With this exception it is not till the year of the sixteenth century that we encounter what of flogging in the Statutes of the University of gen... which seem to breathe a kind of Protestant strictness even before the dawn of the Reformation. The sition would also appear to be a sixteenth century "Pädagogy." was, as has been already remarked, the growth of the great revolution in University College which reached its climax in the sixteenth century. College introduced an entirely new relation between master and the taught. The scholar who accepted ornam prioris statuti puni. Zarncke, Statutenbücher, p. p. 233. above, vol. I. p. 507 note. Statute recites that whereas students had been imprisoned certain others to procure secession 'recusarunt bursalia et actus scholasticos solito adire non sine quadam conne,' such attempts are proscribed. Sanctori debito exclusionis perpetue ab vnique aut correctionis publice in duorum seniorum huic additioni interessentium: 'Ur- zur Gesch. d. Un. Tüb. p. 105. It is obviously an extraordinary expedient to meet an extraordinary emergency. In the thirteenth century students in the like would have seceded and started University. In the very full of Leipsic I find no allusion to 'virge' till 1543, when we hear of 'castigationes' by the tutors or 'Preceptores,' who were instituted in 1517. Zarncke, Statutenbücher, pp. 72, 90. The earliest instance I have met with is in the Statutes of Corpus Christi College, Oxford p. 99, in 1517, where the President may punish 'per injunctionem ut per horam vel horas, cum minime vellet, aliquid scribat aut componat in Bibliotheca.' So in 1524 at Leipsic students are sentenced for lampooning each other ('mutuis libellis et iambis') 'ingredi carcerem et offerre domino rectori carmina greca,' &c. Acta Rectorum, ed. Zarncke, p. 7). The imposition is thus distinctly a product of Humanism. It will hardly be believed by many persons now living in Oxford that impositions have been set and performed per se vel per alium by the Dean of an Oxford College within the last few years.
CH. XIV. a College endowment was no longer free to step across the road into a rival Hall if dissatisfied with the treatment which he received from his own Principal. Within the College walls he could be compelled to prepare his lessons, to ‘repeat’ them afterwards, or to take part in disputations or other exercises, as he could not be in the Schools of the University Regent, which he was free to leave at any moment. The College was under the supervision of a man of more years and more character than the average ‘Principal’; and neither he nor the subordinate College officers had anything to gain by condoning or winking at the irregularities of their charges. Even the boarder who was not on the foundation was probably placed there by his parents for the express purpose of subjecting him to a more real discipline than he was under at the Hall; and it would be difficult to keep up one standard of discipline for the foundationers and another for the pensioners or commoners. Moreover, the mere character of the College building may have done something to facilitate discipline. A solid and substantial stone building, with a massive door well barred against the incursions of hostile mobs, offered smaller facilities for nocturnal escapades than the rickety tenement in the crowded street which must often have served as the boarding-house of the ordinary student society. The Hall-man must perform have been turned out into the street for any recreation that he enjoyed. The College often included a garden, or at least a quadrangle, which made it possible to restrain to some extent the unattached student’s unbounded liberty to haunt taverns and roam the town, alone or in noisy parties, at all hours of the day or night.

Yet even in the College the discipline was at first by no means that of the modern schoolboy. The College was a

---

1 The Statutes of Harcourt provide that ‘nullus . . . bibat in taberna tabernaria sub pena sex denariorum’ (Bulius, IV. 150). Does this mean ‘tavern wise’, i.e., perhaps, not as a ‘bona fide traveller’ or of a female tavern-keeper? At the same College occurs a prohibition, ‘ne aliquis de domo valet de nocte ad choreas vel processionem Nationis’ (ib. p. 159).
COLLEGE DISCIPLINE.

The governing community, obliged to obey its own Statutes and its own officers, but still a community like a monastery, every member of which (no matter what standing) was under tolerably strict discipline itself, while he was expected to take more or less part in maintaining the discipline of the House. At the annual scrutiny every member was invited (after the ascetic fashion) freely to criticize the defects in his ades' character and conduct; and the College Statutes gently enjoin a system of mutual espionage. Although senior members of the House were admitted to a share in government from which the juniors were excluded, it did not exist that sharp distinction between governing non-governing members, or graduate and non-graduate, which we find in the College of more modern times. All alike were students, though some of them might be teachers also. In the earlier College Statutes discipline was much the same in its requirements for the theologian of thirty and for the Artist of sixteen. The penalties are generally fines or forfeiture of commons, and, in cases of persistent obstinacy, expulsion. Occasionally we find sconces, with the time-honoured custom of 'sconcing,' still

n exceedingly amusing record of 'Scrutinies' for 1338 and 1339. Rogers, Hist. of Agriculture, II. Oxford, 1866, p. 670. One Fellow complains that another called the Warden by his Christian name 'coram omnibus.' Another demands 'quod capellanus est et quod calligas et ejus erat.' Another is also exercised 'calligis Willelmii capellani.' Two complain of the 'unhonest' dealing of the Fellows themselves, &c. Most of the complaints are violent quarrels and aspersions; one suggests embezzlement of college funds. When there was scrutiny, students were usually called upon by the Statutes to inform against one another.

1 'Jurabit etiam quod si aliquem de sociis suos inebrius tabernae uel in honestacuenta spectacula communiter usitante tem contenciosum luxuriosum uel notabiliter uiciosum custodi sui eius MS. eius seu; locum tenenti quam cibicius honeste si comode poterit indilate reuelabit.' (Statutes of Pembroke College, Cambridge, in the College Treasury).

2 Except, indeed, when the junior members were more or less the personal servants of the Foundation, as with the 'clerks' of the Sorbonne or the 'poor boys' of Queen's. I am speaking of the relation between regular members of the Foundation.
preserved in the College halls of Oxford for offences against an elaborate and arbitrary code of undergraduate etiquette. But in the Middle Ages even grave offences were expiated in this jovial fashion, as for instance at the Sorbonne, where a Fellow who should assault or 'cruelly beat' a servant was to be mulcted in a quart (sextarium) of better wine, not for the benefit of the injured menial, but of his unharmed brother-fellows¹, no less than for what, according to modern ideas, would seem the minor offences of talking French or excessive hilarity at meals².

The fifteenth-century Register of the Sorbonne—one of the very few documents of the kind which has come down to us—is full of amusing cases of 'sconcing' alike for serious and for trifling breaches of College discipline, imposed now upon grave theologians and now upon their humbler and younger servitors or 'clerks.' A Doctor of Divinity is sconced a quart of wine for picking a pear off a tree in the College garden, or again for forgetting to shut the Chapel door, or for taking his meals in the kitchen³. Clerks are sconced a pint for 'very inordinately knocking' at the door during dinner, 2s. for being very drunk and committing many 'insolences' when in that condition ⁴, or a pint for 'confabulating' in the court late at night, and refusing to go to their chambers when ordered, or for asking for wine at the buttery in the name of a Master and consuming it

² At the Cistercian College: 'Verbis latinis et non alis, sub pena solutionis unius pintæ vini qualibet vice assistentibus illicco distribuendæ, loquantur' (Felibiæ, Hist. de Paris, III. p. 173 ⁵. 'Sconces' are also imposed for other offences not serious enough to warrant 'disciplina regularis': ib. p. 174.² In the Collège de Cornouaille in 1380 scholars are required to behave themselves during meals and grace 'cessante temporibus predictis quocumque clamore, tumultu, risu, ludo et quacumque inordinacione; et contrarium faciens puniatur in estimatione unius quartae vini mediocris... quod visum inter socios comapotabitur' (Felibiæ, III. p. 501). So it is forbidden to walk about the College 'cum caelepsia, id est cum patina, sub penna unius pintae vini pro qualibet transgressione': ib. p. 502).
⁴ Ib ff. a. 5.
selves\(^1\). The ‘common clerk’ or head cook is like-
sconced for ‘badly preparing the meat for supper,’
or not putting salt in the soup\(^2\); and it would appear
while the Fellows at least had the drinking of the
beers which they imposed upon members of their own
race, the clerks were at times ‘sconced’ for the exclusive
fit of the Fellows. At all events, we find a clerk
attacked with expulsion for saying that the Fellows were
the habit, when unable to gratify their bibulous pro-
tities at their own expense, of finding excuses for
zing the clerks, and drinking at theirs\(^3\).

some respects the discipline under which these boy-
graders were placed was less strict than that to
h men as old as the Masters of Arts of that day are
rect in modern England. At the College of Navarre,
instance, so serious an offence as passing the night out
college was expiated by a fine of two solidi, only half
amount of the Artist’s weekly table allowance\(^4\). At
same College a student might apparently have a guest
ep with him for any period under a week without the
er’s leave\(^5\). Where the regulations savour of antique
it, it is in general the rigour of the Monastery rather
the rigour of a strict School—as, for instance, the
ment that all students below the grade of Bachelors

\(^1\) Bulaeus, IV. p. 91.

\(^2\) Bulaeus, IV. p. 91.

\(^3\) Bulaeus, IV. p. 91.
shall ask leave to go out and only walk the streets two and
two, to avoid 'scandal.' The silence and bible-reading in
Hall, the enforcement of punctuality at meals on pain of
bread and water, the appointment of spies to inform
against—not indeed (as in the cloister) all talking—but
talking in the vulgar tongue, are other features of collegiate
discipline which show the influence of monastic ideas.

Robert de Sorbonne, indeed, introduced into his College
the rigid fasting of the monastic Houses, i.e. total abstention
from food till after Vespers on all the fast-days of the
winter season. We meet with the same ascetic rule in
other Colleges; elsewhere the younger scholars are ex-
pressly let off with mere 'abstinence' from meat. Occa-
sionally, as for instance in the very ecclesiastical Colleges
of Toulouse, the monastic penalty of so many days’ bread
and water is prescribed for serious offences; but such
provisions are not found at Paris or Oxford.

At Paris there are no traces of corporal punishment in
College Statutes except for Grammarians before the six-
teenth century. It first occurs in the exceptionally rigid
code of Statutes drawn up for the College of Montaigu by
the great College reformer, Jean Standonck, and is then
prescribed only in case of violence or rebellion. As late
as 1540 another French College confines this punishment to

1 'Diebus jejunaliibus a festo Om-
nium Sanctorum usque ad carnis-
priviun non comedatur in domo ista
de bursa nisi in vesperris et post
omnes lectiones diurnas' Chartul. T.
I. pt. i. No. 448. In 1315, in accord-
ance with the then general custom
of the religious houses, dinner was
put back to Nones, but in 1362 the
house returned to its original usage.

Hemereus, MS. Sorbona Origines,
ff. 33-34.

2 E.g. at a Toulouse College, all

3 E.g. eight days for introducing
a woman into College. Fournier,
I. No. 811.

4 E.g. Félbien, III. p. 511.

5 'Prenam subbit usque ad dis-
clipline susceptionem.' Félbien, V.
pp. 734. Stoppages of food and
monastic prostrations are also fea-
tures of Standonc's very peculiar
system. It should be observed that
students in the monastic Collec
tes were, like other monks, subject to
'regular discipline.' In a College at
Montpellier we hear of a student
who said he was 18, but was be-
lieved to be over 18, forming a plot
to wound or kill his Master 'quem
verberabat eum sicut alios studen-
tes.' Cartulaire de M. I. p. 542; cf.
pp. 547-8.
marians under fifteen years of age. The Register of Ch. XIV. shows, however, that flogging was occasionally used to in dealing with serious offences on the part of clerks who, it must be remembered, were poor boys; as the personal servitors of individual Fellows.

In their case it is confined to such offences as its on other clerks, 'even to effusion of blood though rate,' or kicking the 'common clerk,' or repeatedly using out. In one instance it is allowed in the case of younger clerks as an alternative to heavy sconces for nge 'apples, pears, cherries, and grapes, in sufficiently quantities' from the College garden. The general example of College discipline at the Sorbonne was that Master was responsible for the behaviour of his clerk, those offences he was himself liable to be sconced. Corporal punishment was thought advisable, the er was ordered to flog his own clerk or have him ed by the boy's Master in the Schools. The Fellows very much disposed to take the part of their humble anions and sometimes have to be sconced themselves at carrying out the flogging orders of the College. On occasion the Prior has to be likewise fined for not enacting these sconces against a too indulgent Fellow. In these cases it is to be observed that there is nothing ow the age of the boys: they may in all cases have mere Grammarians.

the College of Tours: 'Quas sponas pecuniarias non inbus habere locum in parvulis atis minoribus quindecim sed loco illarum prae nonarum volumus quod pianturum primarium virginis, moderate et non saevo.' (Felibien, 121.)

5. Reg. ff. 4. 7. 40. In one case he expelled because 'ne corerem nee monitionem a magistri re volbat.' (f. 417.) Where the was an assault on a comrade was of course a clerk), the L. II (2).

The offender was usually directed to go to the Penitentiary for absolution. In one case of drawing a knife against another clerk how far it was used does not appear; the College was satisfied with this penalty.

3 Fuit etiam potus ad unum bacularium de extra et inunctum magistro suo quod ipse ipsum verberaret vel verberare faceret in scholis' (MS. Reg. f. 4).

1 Ib. ff. 7, 8. In one case the Master 'dixit magistro qui verberabat in secundo icu quod sufficiabat et per modum derisionis recessit.'
The prolongation of the whipping age to the verge of manhood is perhaps peculiar to the English Universities. Even at Oxford, however, the sanctity of the human person seems to have been as jealously respected as in a modern French Lycée during at least the first half of our period. The earliest exceptions occur in the second half of the fourteenth century, and are essentially of the rule-proving order. The Statutes of Queen’s are the first Statutes of a secular College which prescribe this mode of correction: and then it is only the ‘poor boys’ who are to be in certain cases offered the alternative allowed in the well-known inscription at Winchester,

‘Aut discere aut discede: manet sors tertia cædi.’

These boys, it may be remembered, were some of them Grammarians, who would be flogged as a matter of course like other schoolboys: some of them were or may have been Artists, but all were foundationers of the poorest class, whose prospects would have been ruined by expulsion from the College; yet even in their case it is contemplated as possible that when they had reached marriageable years, they would kick against schoolboy discipline, and prefer the more serious but less humiliating alternative. Even at Magdalen, founded in 1458, corporal punishment is only contemplated in the Grammar School to which, it will be remembered, the younger Demies were sent. The Statutes of Brasenose—founded in 1509—are the first which exhibit the undergraduate completely stripped of all his medieval dignity, tamed, and reduced to

1 ‘Sic vero de mea consanguinitate vel aliunde per socios admissi ab hujusmodi ecleemosyina non repellantur, nisi ob defectumorum vel profectus, . . . aut nisi, postquam annos attigerint nubiles, castigationes concernentes delicta seu eruditiones eorum, sive in curialitate sive in literatura, a superioribus suis quo rum intererit imponendas suscipere et servare contemperint’ (Statutes, p. 30). In the same Statutes ‘castigatio’ is denounced for not speaking in Latin or French, ‘quam si dixeret noluerint pernarem incurram paulo superioris annotatam.’ So a little earlier, at Durham College the monks thought ‘castigatio’ a suitable punishment for their poor secular servitors. Wilkins, Concilia (1737), II. pp. 614 a, 615 b.
Discipline in Halls and Colleges. 623

Ch. XIV.

Schoolboy level, from which he did not begin to emerge till towards the close of the seventeenth century. He is subjected to the birch at the discretion of the Lecturer for unprepared lessons, playing, laughing or talking in lecture, making ‘odious comparisons,’ speaking English, disobeying the Lecturer, as well as for inutility or non-attendance at Chapel, and other oes which fell under the cognizance of the Principal. Statutes of Dr. Caius for his College at Cambridge in a precise definition as to the age after which schol correction was exchanged for a pecuniary fine. Founder, who was a great disciplinarian, fixed the at eighteen. Wolsey’s Statutes for Cardinal College at twenty. The sixteenth century was the flogging for excellence in the English Universities.

Time the discipline of the Colleges began to react the discipline of the Halls and of the Universities rally. The very ample Statutes of the German Universitites enable us to trace the gradual tightening of discipline which goes on till the sixteenth century is ed. The Statutes become increasingly minute and active in their interference with all manner of unacademic pleasures, in the strictness with which they require dance at University and College exercises, including fall-dinner with its post-prandial disputations. A visit e tavern, or even the kitchen of the College or Hall

ecundum discretionem Lecto

Statutes, 1. ‘Et volumus, quod illa da, siliceet “vel virga corri

Statutes, p. 19.

dultos vocamus qui annum int decimum octavum.’ Caius to find a curious reason for

Statutes, p. 70).

A scholar in the Manuale Scholarium complains: ‘Et quod plus me intus cruciat, quater in coquina arreptus sum: postulant a me de

Sta.
becomes a University offence. In France the younger students are confined to their Halls, forbidden to pawn their clothes, and sent out to walk two and two under the supervision of a Master, in the melancholy fashion still characteristic of the Parisian Lycée. In short, the beginning of the fourteenth century found the non-collegiate undergraduate a gentleman at large: the close of the fifteenth left him a mere schoolboy—though less completely so in Germany than at Paris and Oxford. The revolution is the more remarkable since the tendency seems to have been, if anything, to come up later than had been the case in earlier times.

These remarks might be abundantly illustrated from the hitherto unpublished Statuta Aularia at Oxford. The mere enactment of a body of Statutes for the Halls by the authority of the University in place of the private Statutes enacted by the scholars, marks an important step in the extension of College discipline to the unenowed

tutum fecerunt, ne quis intret co-
quinarum, nisi fumulam sit aut causam
quandam habeat urgentem’ (Zarncke,
Die Deutschen Univ. im Mittelalt.,
Leipzig, 1857, I. p. 26. As to this
Dialogue, see below, p. 699 sqq.

1 We do, indeed, find such a pro-
hibition as early as the Statutes of Erfurt—or, rather, a project for the
original Code of Statutes, which does not appear to have been ever for-
mally enacted. The silence of many
later Codes—in spite of the general
resemblance of the disciplinary
clauses of different German Univer-
sity Statutes—perhaps indicates that
the provision could not be practically
carried out. The Statute provides:
‘Item ad publicas tabernas non
vadant in nocte seu in die nec ad
alia loca inhonestâ’ (Weissenborn,
Acten, II. p. 7. At Leipzig a similar
provision does not occur till 1458.
Zarncke, Statutenbücher, p. 59.
2 Cf. the following Statutes of An-
gers in 1494: ‘Caveant pedagogi, ne
sui scholaris sint vagabundi seu in-
centiati domum exeat et ne vesti-
menta sua aut libros in extraordi-
naris virtutibus et superfluis aut
ludis exponant, sed demum clausa
tecant, maxime crepusculo adven-
tiente’. Fournier, I. No. 497. So
again: ‘Quod scholaris hujusmodi
non mittatur ad campos sine Mag-
istro, qui eos ducat et redactus regat
et gubernet simul et in cedem loco
ut ad omnes possit advertere. et bin
et bini ineccant et redeant, maxime
per villam’ (ib.). The discipline of
the smaller French Universities
seems to have been particularly strict
at this time: their Arts Faculties
were, indeed, mere Schools for
boys.

3 Whereas at Paris a boy might
be B.A. at fourteen, Leipzig forbids
graduation ‘nisi attigerit septimum
decimum annum’ (Zarncke, Statuten-
bücher, p. 331).
societies. Such a body of Statutes appears to have been enacted for the first time in the Chancellorship of Gilbert Kymer (1431–3 or 1446–53) 'by the discrete and mature advice and consent of the venerable Assembly of Masters and of the Principal of Halls.' Another body of Statutes was passed in the Chancellorship of John Russell, Bishop of Lincoln (1483–94)¹, and there can be little doubt that this is the Code which we have before us in the document printed as an Appendix to this work. The regulations are of much the same kind as we find in College Statutes, but (as is natural) rather less exacting. There are Statutes against swearing, games of chance, the art bokelar, 'unhonest garrulities,' walking abroad without a companion, being out after eight in winter or nine in summer, sharing a bed with a 'socius' without leave of the Principal, entering another man's chamber without his consent, 'odious comparisons of country to country, nobility to ignobility, Faculty to Faculty,' speaking English except at a 'gaude' or principal feast, and so on². There are compulsory excursions into the country 'for the recreation, convenience, and honour of the community': but on ordinary occasions students are merely required in the customary manner to walk with a companion if possible. They are free to be absent from meals and receive an allowance in respect of unconsumed commons; but attendance is enforced not only at the lectures, recitations, and disputations of the Hall, but at the lectures and disputations of the University. All are required to hear Mass³ daily and to attend University Sermons. After the

¹ Mun. Acad. p. 358. This Statute, dated 1489, provides for the periodical reading of the Code in each Hall. There can therefore be little doubt that the MS. copy (Rawlinson Statutes, No. 34) was made at this date. Its existence has hitherto been quite unknown, the MS. being uncatalogued. It is printed below in Appendix XXX.

² 'Item quod quilibet infra aulam existens cotidie audiat missam et dicat matutinas et vesperras secundum exigenciam sui ordinis uel conditionis sub pena oboli' (f. 1 a).

³ 'Preterquam gaudiorum tempore et festorum principalium infra precinctum aule' (f. 4 a).

Matins and Vespers on ferial days can hardly be imposed upon persons not in holy orders. On Sundays and Festivals all were to attend
evening potation\(^1\) the community ended the day by singing the 'Antiphon of the Blessed Virgin' or Salve Regina together. A definite penalty is imposed for every offence, ranging from \(\frac{1}{2}\)d. for not speaking Latin to 6s. 8d. for assault with effusion of blood. In most cases the fine is limited to a few pence. No other penalty than a fine is authorized except in the case of boys who had been placed under the charge of a 'Tutor or creditor,' who was to be excused payment of the fine if he had undergone 'corporal chastisement' in public at the hands of the Principal on Saturday night\(^2\). As there is no indication that it was necessary for even the younger scholars in Halls to have such a Tutor, it may be inferred that it was a luxury of the rich\(^3\).

It should be observed that even these Oxford Statutes, which had for their very object to assert the authority of the University and of the Principals contain traces of the old Aularian self-government. Thus, though the Principal when once elected holds his office independently of the Students, the Students every week elect an 'Impositor' who is to enforce the observance of the Statutes. It would appear that he imposed the prescribed fines by his own authority and only reported the offences to the Principal at the weekly meeting or chapter of the whole community after the singing of the Antiphon on Saturday night. The

High Mass, Matins, and Vespers in the Parish Church. A Chapel in the Hall was exceptional.

\(^1\) It is not quite clear whether this was observed only on Saturdays or every day. Sometimes we find this function specially associated with Saturday: elsewhere it seems to be a daily observance.

\(^2\) 'Quod quosque scolares mainens sub magistro tutore aut creditor aut subequit in noctibus sabatinis publice correciat et corporis现实中 contra prefata statuta ... non obstante quod magister suus tutor curator aut creditor suus tunc dixeret se illos excessus correrisse' \(\text{(I.e. f. 9)}\). (This is the first occurrence of the word Tutor that I know of. For the English 'Creassyr' in this sense, see Murray's New Eng Dict. It is perhaps implied that other very young scholars were treated in the same way.

\(^3\) It was probably a Tutor of the kind who is alluded to in one of the Paston Letters (ed. Fenn, London 1787, I. p. 144), where the mother of Clement Paston sends a message to his Tutor (not in the University desiring 'that he wyll trewe belassch hym tylle he wyll assent. and so did the last Maytur and ye* beat that euer he had set Cambrege.'
fines go to the ‘community.’ Moreover, offenders refusing to submit to them are to be expelled ‘by the authority of the Principal and community.’

One feature of the discipline of the later medieval College is too curious to be passed over. We have already noticed how invariable is the insistence in the Statutes upon speaking in Latin. How far such a regulation was really enforced in the early Colleges or Halls it is difficult to conjecture. But, when the undergraduate had been fairly tamed, we find a widely spread system of spies called ‘lupi,’ who were secretly appointed by the Masters to inform against ‘vulgarisantes,’ as the offenders were called who persisted in the use of their mother-tongue. We get constant allusions to this practice in the ‘Manuale Scholarium’ which emanated from Heidelberg towards the close of the fifteenth century, and the appointment of ‘wolves’ is required by some of the German Statutes. There is no express evidence in any English College Statutes of a corresponding practice, but it appears in the seventeenth-century Statutes of Harrow School, and was possibly not unknown in the Universities at a time when there was very little difference between the discipline of a College and that of a Grammar School.

In the later medieval period, when the Bachelorship of Arts had acquired greater importance than it once possessed, the Bachelor enjoyed a good deal more personal liberty than was accorded to the younger boys. At Navarre, for instance, he is allowed to walk abroad by himself, while the undergraduate was required to have an ‘honest companion.’

1 Statutes, ii. 8, 9.
3 Zarncke, Statutenbücher, p. 477 (a.d. 1499).
4 The Commem. of the Tercentenary of Harrow School, Harrow, 1871, p. xxvii sq.
Both classes of students were, however, it would seem, accompanied by the Vice-Master to University Sermons and into the country, when leave was given for that purpose.

The Bejaunus and his Deposition or Initiation.

Amid all variations in the degree of his subjection to Masters or University authorities, the medieval undergraduate was everywhere and at all times bound by a far more intolerant and inflexible code of student etiquette. We have already noticed the hoary antiquity and the widespread prevalence of the custom of student-initiation. Three deeply rooted instincts of human nature combined to put this custom beyond the reach of magisterial suppression. It gratified alike the bullying instinct, the

1 Launoi, I. 103 (A.D. 1404).
2 A Statute on this subject was passed by the University of Paris in 1341 (Bulaeus, IV. p. 266; Chartul. T. II. No. 1057): 'Et quia plurimorum frequentius queralas accipimus, quod nonnulli per eorum potentiam bona simplicium scolarium occasione bejaunie sue rapiunt, nisi eis satisfiat de bejaunia, quam etiam mala malis accumulantres taxare nuntur pro lito voluntatis, et sic in hoc magnam partem sue pecunie coacti per raptores hujusmodi exponunt, de qua possent diutius in studio sustentari: hinc est quod nos attendentes predicta, nec non insultus, verbera, et alia pericula que solent exinde evenire, quodque etiam per talia plures a nostro distrabuntur studio, quod in nostri et prelibati studii redundat non modicam lesionem . . . sic duximus ordinandum.' The Statute goes on to forbid such exactions by any students 'exceptis sociis, cum quibus inhabitat, qui pro bejaunia domus poterunt recipere, dum tamen predicti bejaunie hoc offerant spontanea voluntate.' 'Jurati' were to be deprived; 'non jurati' to be expelled 'a nostro consilio'; but how little control the University had at this time over the 'non jurati' is illustrated by the fact that it was obliged to order the Proctors to proceed against the offenders before the Official. So at Ingolstadt:

'Venerabile nostrum collegium decretit quod decanus potestatem habeat vexatores et tributatores novellorum studentum, quos bene vocant, arbitaria pena multarum penamque sic infictam in suis converserit-usus' (Pruntl, Gesch. d. Univ. in Ingolstadt, II. p. 103). A form of proclamation by a 'Convocatar' (the Head of a Hall) forbids his students 'cornua, ut ipsi vocant, deponere, aut contra scamna aut also quocunque modo socios suos ducere, sub pena duorum solidorum irremissibiliter persolvendorum' (l.c.). The 'contra scamna ducere' probably implies the proceeding in vigor at Aix (see below, p. 655, a. 7).

At Valence it is forbidden even to call a freshman 'bejaunus,' or to put straws in his books, or to practise 'other vanities' (Fourrier, III. No. 1845). In 1465 'quedam secta
THE BEJAUNUS AND HIS DEPOSITION. 629

instinct, and the desire to find at once the Ch. XIV.
and the means for a carouse. First, the bejaunus
low-bill" (bec-jaune), as the academic fledgling was
must be hoaxed and bullied; then he must be
ed as a comrade; finally his 'jocund advent' must
brated by a feast to be provided at his own expense.
velopment of these initiations is one of the most
episodes in University history. At first we meet
severe and sweeping prohibitions against all exaction
aunia' from the unfortunate youth whose little purse, age,
ed to meet perhaps his first year's expenses, was
to be half emptied by what sometimes amounted
aid upon the hard-earned proceeds of a parent's
ce. Gradually we find restrictions upon the number
sts taking the place of total prohibition: and from
oritative sanction there is a gradual process to
oritative requirement of the 'Depositio cornuum.'
sixteenth century it has become in the German
ities an obligatory academical ceremonial like
ulation or Determination 1.

arious account of a freshman's experiences has come to us in an already mentioned 'Scholar's Manual' of
teenth or early sixteenth century—a kind of medieval
ent Green 2. The story illustrates how the badger-

bejaunorum vulgariter nun-
is suppressed at Montpellier
No. 1166. At Paris in 1488
ate of 1341 is only re-enacted
the saving clause 'præter
em et moderatam Regis
ight King] obligationem ac
erentium qui
jauni nominetur' (Buleus,
which seems to imply that
jaunia' is now compulsory.
stage would seem to have
ched at Greifswald by 1456:
bean pro ipsius beanii de-
non plus tertia parte florenti
aut exigui promittere debent
rectores. Item depositio
beanii fieri debet in collegiis aut
regentiis, nisi deponens filius fuerit
alicius incole huius ciuitatis, uel
saltem licentiam habuerit decani et
orum assessorum specialem', (Kose-
garten, II. p. 304). So at Rostock
lier (circa 1419); Westphalen,
Diplomatarium, IV. cc. 1014-1016.
A College Statute at Paris as early as
380 requires that 'pro jocundo . . .
aventu solvat unusquisque secun-
dum personæ sua qualitatem et se-
cundum quantitatem facultatum su-
arum,' &c. Felibien, III. p. 504.

1 The book consists of a series of
Dialogues intended apparently in
part as a repertoire of the Latinity
Ch. XIV. 

ing or 'hazing' (as the American students call it) of the
Bejaunus has gradually assumed a stereotyped form. The
raw youth from the country is supposed to be a wild
beast who has got to lay aside his horns before he can
be received into the refined society of his new home. By
this time the actual ceremony of 'depositio' has become
a solemn University function, patronized though not
actually conducted by the University authorities. The
student is first represented as conversing with his new
Master, whom he asks to arrange for his 'Deposito,' and
entreats to let the expenses be as moderate as possible.
Then, after returning from Matriculation before the Rector,
he is visited in his room by two of the students. They
pretend to be investigating the source of an abominable
odour which has reached their nostrils. At last they
discover the cause; it is the newcomer, whom they take to
be a wild boar. A closer inspection reveals that it is a
'beanus,' a creature that they have heard of but never
seen. Then follows much chaff about the wild glare in his
eye, the length of his ears, the ferocious aspect of his
tusks, and so on. Then with mock sympathy it is sug-
gested that the horns and other excrescences may be
removed by an operation—the so-called 'Deposition.'
The ceremony is apparently rehearsed in rough horse-
play. The victim's face is smeared with soap or some-
thing of the kind by way of ointment; his ears are
clipped; his beard cut; the tusks removed with a saw:
and so on. Finally, they are afraid that the operation
will be fatal: the patient must be shriven without delay. One
of them feigns himself a Priest, and puts his ear to his

which a Scholar would require for
conversational purposes at the Uni-
versity. It was published as a date-
less black-letter book, and is re-
printed by Zarncke in Die Deutschen
Universitäten im Mittelalter Beiträ-
ge, I. Leipzig, 1857). I have been quite
unable to do justice to the graphic
and vivid presentation of the scene.

1 'Disc. Optime preceptor, divi-
tis parvae mihi sunt. Ne primum
sumpta sola collatio fiat, apprime roto.
neque etiam volo, quod nimium ex-
tenueur ac honestas offendatur in re.
sed mediocrates retineatur cum con-
suetudine. Mag. Probe intellexa.
Vocabo igitur tres magistros et la-
calaureos duos et quosdam de se mi-
ems' (i.e. pupils or boarders); I. c.
p. 4.
THE BEJAUNUS AND HIS DEPOSITION. 631

th. His confession is repeated, word for word, by the
cessor. The boy is made to accuse himself of all sorts
ormities: as a penance for which he is enjoined to
ide a sumptuous banquet for his new Masters and
ades; and so he is led off to the Depositio proper.

The nature of the actual ceremony may be perhaps
red from the anticipatory sketch of our two students.
ictim appears to have been in some way dressed up
ad adorned with horns and long ears to resemble
ld beast, and was then planed, sawed, or drubbed into
e with whatever varieties of insult or torture the wit,
nity, or brutality of different Universities might sug-
. A little book published in the sixteenth century
ins pictorial representations of the scene. There is
ession headed by a Master in his academical dress
ollowed by students in a sort of masquerading costume.
ther is a representation of the planing down of the
inus extended upon a table, while a saw lies upon the
nd, suggestive of the actual de-horning of the beast.
ally, his nose is held to the grindstone by one student
other turns the handle. The work itself and
apologies for the institution mention among the
ements of torture a comb and scissors for cutting the
's hair, an auriscalpium for his ears, a knife for
ng his nails; while the ceremony further appears to
de the adornment of the youth's chin with a beard by
es of burned cork or other pigment, and the adminis-
ion, internal or external, of salt and wine. In some

2. Anselm, De origine, causis, typo
omonis illius ritus, qui vulgo in
 Deposito appellatur, Erfordiae,
very rare work). It includes
udicium reverendi patris D.
is Martini Lutheri, de Depositi-
delivered on occasion of his
part in one of these functions,
empting to give a moral and
ical turn to the ceremony.

The Reformers' words were often quoted, and may perhaps have
helped to postpone the extinction of the barbarity for a century or
two.

3. E.g. Valentinus Hoffmann, Laus
depositionis bonorum, Jena, 1657;
Gellius, De depositione academica,
Lipsiae, 1689. The former contains
speech from a student who pre-
sided as Depositor on one of these
occasions.
Universities the dose of salt was eventually reserved as a penalty for refusal to submit to a certain 'Musical Examination' with which the proceedings concluded—a feature of the Depositio which will be recalled by readers of the classical story of English Public School life in the present century.

The particular ceremony of Deposition, it should be observed, is only heard of in the German Universities; but the system of extorting money and otherwise badgering or initiating 'bejauini' was all but universal. In Germany the 'deposition' gradually paved the way for the so-called 'pennalism,' a system of brutal bullying and fagging of juniors by seniors which exceeds in barbarity anything which the annals of the English Public Schools in their worst days have to record. The system reached its height in the seventeenth century, and long defied all the efforts of Professors and Governments to put it down.

In Southern France the initiation of Bejauini assumed a somewhat different form. Here the freshman was not a wild beast who had to be civilized, but a criminal who had to be tried and admitted to the purification of this peculiar form of original sin. At Avignon the conduct of this 'purification of freshmen' was made the primary object of a religious Confraternity, formed under high ecclesiastical sanction, with a chapel of its own in the Dominican Church. While, as the preamble piously boasts, it was the object of the institution to put a stop to the 'nefarious and incredible enormities,' the drunkenness and immorality.

1 For the bibliography of the subject, see Pernwerth von Bärnstein, Ubi sunt qui ante nos in mundo fuerit? Würzburg, 1882, p. 103 sq.
2 For a pathetic account of the sufferings of a poor boy often reduced to the verge of starvation by the depredations of the 'Bachante' or older student who lived upon his beggings, see the Autobiography of Thomas Platter, F. T., London, 1839. I abstain from borrowing further illustrations from this source because the date is somewhat too late; the state of things described seems to have been peculiar to Germany and Switzerland; (3) none of the Schools frequented by these troops of wandering scholars were so far as appears Universities.

3 'Adiicientes predictum ut mores servetur honestas et viciorum necis profugetur ut prefaia novicii ut bejauini non sudeant sumpsi om-
HE BEJAUNUS AND HIS PURGATION. 633

ally characterized this celebration, the Statutes still he 'bejaunus,' except in cases of sworn poverty, to e six grossi to the funds of the Guild. A noble ced student paid double, and if on temperance s he wished to limit the expense of the banquet given by a new-comer, he might redeem it by a payment to the funds of the Confraternity, to be the honour of God and of S. Sebastian.' The son of his infection' was to be enforced by 'the of books.' Once enrolled as a member of the freshman lost the 'base name' of bejaunus, and ear's residence attained the 'honourable name' of

By what ceremony over and above the con-subscription the purgation was carried out, does not exactly appear; but, as we find that the Guild had two officers called 'Promotors,' whose business 'accuse' the freshmen, some sort of mock trial be indicated. These fooleries contrast oddly provisions for Masses and Sermons with which Statutes are largely occupied. To the medieval there was probably nothing incongruous in the juxta-though it is curious to find Apostolical sanction given to such a barefaced act of theft as the of books.' This particular instrument of extor-likingly suggestive of the workman's mode of class tyranny by the abstraction of tools—seems the usual one in French Universities.

erecricibus consociis ali- lere, per hoc illum ritum annulantes,' &c. (Four- sorption d'étudiants en 41 'reprinted from Nou- au-torique de Droit, Paris, 6, 17.' The following taken from the Statutes there printed.
orum solutionem per cap- rum compellantur, sancte confratric utilitatis simis operibus ejusdem dicandis' (ib. p. 15. It is not clear whether the banquet was defrayed out of these contribu- tions or whether such entertainment was only expected in the case of the rich.

2 At Orleans such extortions from Bejauni, 'per captionem, ablationem vel subtractionem librorum, unius vel plurium, aut aliorum pignorum,' is forbidden under pain of excom- munication. Fournier, I. No. 167. Two years later (ib. No. 174) the Bishop again denounces any compul- sion 'ut amplius expensis et injuria
From the same University of Avignon chance has brought down to us the 'Statutes of the venerable Abbatial Court of this famous College of S. Nicholas,' i.e. the College of Annecy. This is the only documentary evidence that has come down to us as to the proceedings of those 'Abbots' whom students are so often forbidden by University and College Statutes to elect. The Abbot holds a Court twice a week. The object of the institution is not merely to conduct the 'purgation' of 'Bejaunia' (like the Confraternity of S. Sebastian) when the freshman has served his time, but to enforce a series of minute regulations respecting his habitual behaviour. The freshmen are to serve the seniors at table, not to stand between them and the fire in the hall, to give place to them on all occasions, not to sit at the first table in hall, and not to call one another 'Sir' (domine). Several Statutes relate to the especial duties of the junior man (de officio ultimi) in Chapel and elsewhere. Some of the regulations bear on all members of the College, or 'monks' as they are styled and are enforced by fines: but the offences of the Bejaunia are expiated by a certain number of blows with a wooden spoon or ferule (patella). Moreover, every freshman received one such blow, apart from any special misconduct every time the Abbot held his Court. After a certain term of good behaviour, the freshman was allowed to 'purge his refreshmanship' by holding a 'repetition upon an assigned punctum of the Institutes, and defending it against his brother-freshman (in imitation of the Inception), after which followed the actual purgation, of which we can ascertain no more than that it was a ceremony involving the use of water 1.

A Statute of the neighbouring University of Aix enables

aggraventur ad solvendum hujusmodi bejannium suum seu suum novum adventum ad tabernam ducentes et, ut ovis ad occasiorem ductur, accedere compellentes; ... et ex his commissiones, ebrietates, turpiloquia, lasseevic, pernoctationes, tam in huiusmodi tabernas quam per villam de nocte incedendo. fractiones ostiorum, ut de aliis taceamus, oruntur enormiter et insurgant.' Cf also No. 175.

1 Fournier, Statuts des Univ. Francaises, II. No. 1343.
up the hiatus in our knowledge of the ‘purgation’

It there appears that, after the freshman

en duly accused by the promotor, he was sentenced
tive a certain number of blows with a book or a

pan. On the highly philosophical principle that

may be avoided,' it was, however, prescribed that

freshman should not receive more than three blows
tach of an unspecified number of students, but, if

tere ‘noble or honourable ladies’ present, the Rector

upon their intercession, reduce the punishment to

in each operator.

tetails happen to have come down to us of the

in vogue at Paris, but they were no doubt very

to those of the less famous French Universities.

ister of the Sorbonne contains a chance allusion

election of an ‘Abbot’ and to a ‘washing’ of fresh-

Innocents’ Day, a ceremony which was preceded

cession in which the unfortunate ‘bejans’ were

through the streets upon asses. Allusions to

details are difficult to make.

Rector is required to give

at freshmen shall submit to

within a month ‘cum pena

fende in studio, sub libro

sum’ sic, but then goes on

ibe that (apparently in all

en when there was no re-

pay the ‘bejaunia’) ‘quia

unt alacres et jucundi, et

one forte excederat, dando

um aut femora bejanorum . . .

itas sit vitanda, quod feratur

per dominum promotorem,

libet det dicto bejano tres

minus, et non ultera, reser-

ricordia domini rectoris ad

billium mulierum sive hones-

ibidem reperiantur; et lata

, dominus promotor intimet

n domino rectori, et an de-

ur executioni, offerendo sibi

[a frying-pan], qua primo

si sibi videatur; et quod

procedatur honeste.' (Fournier, Sta-

tuts des Univ. Franp., II. No. 182a).

As to the meaning of ‘quilibet,’ it is not

clear whether this means every stu-

dent present or the Rector, Promotor,

and three students who were to be

appointed to assist them in the pur-

gation. Dr. Chauverne (Hist. d’Aix,

p. 108) mentions the interesting fact

that the word bejaunes (corrupted

into ‘pigeons’) was used in his youth

among the students of Aix, and that

he has heard peasants in the Basses-

Alpes say ‘vous payerez le bejaune.’

The junior class in some of the

Scotch Universities was called the

‘Bajan class’ till very recently.

2 ‘Anno quo supra (1476–7) con-

demnatus fuit in crastino Innocentum

capellanus abbas Beannorum ad octo

solidos parisenses exponendos in

vino eo quod non expleuisset offi-

cium suum die Innocentum post

prandium in mundatione Beannorum
similar customs are found in other Parisian Colleges\(^1\). As to the form which the bullying of freshmen assumed at the English Universities we are entirely in the dark, unless we may draw inferences from the ‘tucking’ and compulsory speech-making under pain of salt and water which lingered on, at Merton and elsewhere, to the end of the seventeenth century\(^2\).

**Academical Dress and Clerical Status.**

A treatise on medieval Universities must needs give some account of the origin of those academical costumes which do more perhaps to impress the imagination with a sense of the medieval origin of University institutions than is per aspersionem aque ut moris est

\[\text{per aspersionem aque ut moris est} \]

quamquam sollemniter recepisset exercere suum officium ante prandium in ducendo beannos per vicum super asinum’ (f. 73).

\(^1\) Some idea of the universality of these customs may be gained from the fact that they had invaded the cloisters of the austere Cistercians. The Statutes of the Cistercian College at Paris, drawn up in 1493, forbid ‘omnes receptiones noviter venientium, quos voluntaria opinione Beijans nuncupare solent, cum suis consequentia, necnon bagnationes, fibrations, reliquasque omnes insolentias et levitates circa quocumque noviter venientes, tam in caputulo, in dormitorio, in parvis scholis, in jardinis quam ubi ubi, et tam de die quam de nox, etc… fieri prohibentem…

\[\text{abbatis Beijansum nomen penitus delendo, ac deinceps nominari prohibendum.} \]

\[\text{The ’vasa, munimenta et instrumenta’ used in these ‘levitates’ are to be surrendered Felibien, Hist. de Paris, T. III. p. 170.} \]

\[\text{The interpretation of this Statute must be left to the reader’s imagination, aided by the evidence as to Avignon and Aix. 'Bajulationes' and 'fibrationes' would seem to denote some form of personal violence; but Ducange does not help us.} \]

\(^2\) At Merton the freshmen on certain evenings before Christmas has to ‘speake some pretty apothegme, or make a jest or bull, or speake some eloquent nonsense’ under pain of ‘tucking’ i.e. cutting open the cheek with the thumb-nail, and on Shrove Tuesday had to make a speech which was rewarded by ‘cawdle,’ or salted drink, or a mixture of the two (with more ‘tucking’ if necessary) according to its quality. These customs did not survive the Commonwealth. See the *Life and Times of Anthony Wood* (ed. Clark, Oxf. Hist. Soc. 1891), I. pp. 133-4. 138-9. At Exeter a similar custom was stopped by a rising of freshmen headed by the great Whig statesman, Anthony Ashley, afterwards first Earl of Shaftesbury. Christie, *Life of Shaftesbury*, London, 1871, I. pp. 17, 18. At S. Andrews a custom lingered by which the freshman has the right to demand a packet of raisins from any freshman he meets who has not previously paid this due. This is a clear relic of the *beijansum*.\]
ACADEMICAL DRESS.

...anted by their real antiquity. It can hardly, ch. xiv. aid that in the Middle Ages there was, for the fe, anything which can properly be called dress at all. In the Italian Universities the template that students will wear the long black gown as a 'cappa,' but aim rather at limiting that prescribing the form of his costume. In Universities every student was supposed to be was required by custom or Statute to wear and the clerical habit. We find Statutes in against various forms of 'indecent,' 'unhonest,' or merely 'secular' apparel—such as 'trunk- sleeves, pointed shoes, red or green boots, and t Heidelberg it was even thought necessary to

n 1456 'desiderabant i, quatenus studentes etarentur, ut statutum in Italia ab aliis studentibus' (Constit. Vienn. I. p. 178). cause the Italian stud

and by Master-made he did not object to

of Proctorial duties in

m. p. 110, we find

a non habentes

suram decentem.' So

v. Univ. Prag. p. 50)

required to swear

habitum et tonsuram

England we never

ity of a University ned. In some of the

eries it appears to

tible to dispute his

ities if he did not

clerically. Thus, at

lar of Law, who had

at a Master of Arts

or was looking out of

ed to the jurisdiction

of Merseburg on the

itiff 'non clericus

sed laicus existat, quod ad oculum

demonstro per eius barbe delacionem,' which should be accepted till he proves 'se clericum ordinatum quod nondum credo.' It seems to be implied in what follows that a student on matriculation could claim to be a clerk or not, as he pleased (Urkundenbuch, ed. Stübel, p. 77). This was in 1445. A year later, significantly enough, there appears a decree 'quod nullus doctor, magister aut scholaris, in clericatu existens, barbam nutrire presumat' Zurncke. Statutenbcher d. Univ. Leip. p 15. In 1496 (ib. p. 19) we find 'uxorati' exempted from some of the provisions as to dress, showing clearly that the original idea of academical dress was simply based on the fact that students were clerks. In Italy there is no trace of any scholars being treated as clerks except those regularly admitted by the Bishop. Thus at Padua the Bishop 'Vitalianum... scolarem... ordinavit in clericum' Gloria, Mon. 1318-1405, T. II. p. 28. So 'pro- movit ad primam tonsuram clericalem Petrum... scolarem,' id. p. 33.
forbid students from going out without boots 'unless clad in a garment reaching to the heels.' But the shape and pattern of these garments would appear to have varied a good deal according to the vanities of individual taste or changing fashion. No particular form of garment was prescribed by University authority: the undergraduate's dress was in no sense an official costume. The differentia of clerical dress was apparently supposed to lie in the outer garment being of a certain length and closed in front. But it was only in the latter part of our period that it was expected to reach to the heels, or at least well below the knee: and the restriction to black is not common till even later. In the Colleges only parti-coloured garments were regarded as secular: it was usual for graduate and undergraduate alike to wear a 'livery,' i.e. clothes of the usual clerical shape but of uniform colour and material: just as the boys of Christ's Hospital wear a uniform dress of a particular colour, which is, however, in its general shape, merely the ordinary dress of the sixteenth-century schoolboy. The Christ's Hospitallers with their long coats and bands (which are of course merely a clerical collar) are a survival from a time when all students were supposed to be clerks. So at the College of Navarre the livery was to be of black; at the College of Beauvais, 'blue or

1 'Ita quod de cetero nullus incedat publice in via discaligatus, nisi inductus [i.e. indutus] fuerit veste talaris, quae corpus suum decenter sit cooptatum, sub pena venius floreni' (Hautz, Gesch. d. Univ. Heid. II. p. 398). At Cologne, the Artist unless a servitor, 'utatur honesta veste talari aut indeccente non accurtata, toga vi-e-leicet aut tabhardo plicas non ligatas habente, et capicio honesto cum corneta in plateis aut aliis locis extra bursam' (A.D. 1457; Bianco, I. Anl. p. 74; cf. p. 51'). So at Leipsic, in 1537, it is ordered 'quod nullus scholasticorum in collegio vel iuxta collegium scurriliter incedat, puta in diploide et tibialisibus duxcat. sine tunicella, in dedeque collegii et scandalum virginum et mulierum honestarum necnon ceterorum hominum intrantum et exuamini collegium, sub pena quinque graminorum' (Zarncke, Statutenbücher, p. 240).

2 It is found at Rostock, where the scholar 'incedere debet cum toga pro veste exteriori panni nigri ... undeque clausa talari vel quasi,' but coloured hoods are allowed (Westphalen, Dipnematarium, IV. c. 1091). Cf. above, vol. I. p. 196 sq.

3 'Tabardas vel houssias de brusca nigra' (Bulaea, IV. 92). As the
ACADEMICAL DRESS.

The colour of the liveries in our English Colleges was prescribed by Statute, though the Queen's men were required to wear blood-red, but differences and ornament as badges of different Colleges live in the undergraduate gowns of Cambridge academically or official garment was at the magisterial capa. The garment was not the gown or toga, but the capa or cope, with a border of minever. The word capa was indeed used to signify the ordinary full-dress outer garment worn by clerical clergy out of doors, and it is difficult to say if early statutes on the subject do more than insist on its being at all public functions in the full. It is impossible to trace the stages by which the magisterial capa became a more or less peculiar and distinctive aspect of the compulsory use—was confined to some occasions and sometimes to 'ordinary' lectures and other functions. A particular form of it—the sleeveless robe to be the distinctive dress of Bachelors.

1. Orleans allowed this to be worn in riding l. No. 26, it may be presumed that it was shorter than the
nominated for Hist. of Th. Robertson, VI. p. 604; reg. Ven. 1784. T. XXVI. 1248 we hear Reg. d’Inns. that 'Judaei galonensis et circumposio, non sine ordinis clericalibus rotundas et largas casanum, proprie quod sedale est a peregrinis et advenis capa, sacerdotibus honor et praestantur.' The external dress between a Jew and a Divinity was still a joke in the days of the Epistola Obscurorum Viro (ed. Münch, Leipzig, 1807, p. 84). The capa of the Oxford M.A. disappeared about the beginning of the sixteenth century, when we find the Regents granting themselves wholesale dispensations from its use. The Statutes of many Universities allowed a 'tabard' to be worn at Extraordinary Lectures, or a 'cappa rugata' or 'cappa manicata.' The 'epitogium,' or at least an 'epitogium longum,' appears to have differed slightly from the 'cappa,' but was generally allowed as an alternative to it. At other times, however, it is treated as synonymous with or equivalent to the 'Tabarda.' Another form of the 'Cappa' is styled 'Pallium.'

2 Bula, IV. p. 358: Chartul. T.
II. No. 1024, where it is also enforced on scholars at Disputations. The Statutes of Navarre provide that 'illi qui determinaverint, cappam habeant de perso vel alio uno et eodem colore honesto' (Launoi, I. p. 32). In the same house the Theologians 'tabardas seu housias longas habeant cujuscunque coloris voluerint, honesti tamen et unius coloris et ejusdem; et Baccalarii cappas rotundas ejusdem coloris' (ib. p. 35). From Buleeus, IV. p. 280, it appears that the 'cappæ' of Determiners were 'manicatae with sleeves'. At King's Hall, Cambridge, the undergraduate is required to wear 'robam talarem,' the B.A. 'robam cum Tabardo gradui suo competenter' (Rymer, Foedera, III. 1740, pt. iii. p. 94).

Thus the ascetic reformer of the College of Montaigu, Jean Standone, as late as 1501, orders that scholars of all degrees shall be provided 'de chlamysde seu pallio ante clauso, instar clamymdum seu capparum quibus in vico straminis magistri artium figurato utuntur... item de capito seu camaldo,' &c. The Theologian's 'cappa' is to be black, the Artist's 'de panno griseo ad nigrum magis tendente' Felibien, V. p. 730. So at earlier Colleges. Cf L. c. III. pp. 376, 382; V. p. 641. A scholar of the thirteenth century inveighs against rich men who turn the cappa instead of giving them to poor scholars Carmina Burana, ed. Schmeller, p. 75. Cf. the Statutes of Toulouse in 1304, where secular students, especially Bachelors, are admonished, 'ut maniciis longis vel cappis manicatis utuntur, prout in honorabili Parisiensi studio observatur' (Devic and Vansette. Hist. Gen. de Languedoc. VII. p. 545).

Some say after the adoption of scarlet by Cardinals during the Pontificate of Innocent IV. Dubarle I. 143 ascribes it to Benedict XII.

At Paris, as at Oxford, the Doctors of all Superior Faculties were red. Buleeus, I. p. 388. The Rectors wore purple with a cap, and apparently stockings, of the same colour. A. I. p. 227. Richer, describing the robes of his own day, says MS. Hist. 1386 'quattuor Procuratores Saxorum purpurea induit, Doctoris in Medicina et in Decretis capa purpurea ornari, Doctores quoque in Theologia cum capis et capito pelliculis ornato.' 'Habits rouges' red are often mentioned as characteristic of Doctors of Canon Law.
ACADEMICAL DRESS.

the period, and was not even exclusively clerical. Ch. XIV.

the material of the hood which was characteristic of the office. The use of minever hoods—still worn by Oxford Proctors—was generally confined to Masters, in the case of nobles and well-beneficed ecclesiastics. All Faculties wore hoods of lamb’s or rabbit’s fur. Silk hoods came in, perhaps towards the fourteenth century, as a summer alternative to fur, whose winter fur hoods were something more ornamental appendage in the unwarmed Schools and of medieval times. The biretta, a square cap on the top (in lieu of the very modern tassel), a distinctive badge of the Mastership:

Doctors of

in Rangeard’s time, the red ‘en habit rouges et Doctors of Theology in the Medical Doctors in the Medical Doctor’s habit, pale’ (Hist. des II. p. 941). In England, the scarlet was certainly D.’s. The M.D. of Caen was customs prevailed: was in capa rotunda... de biretta et similiter in pileo.” (Fournier, III. No. 265.)


2 In general the term ‘biretta’ seems to be used where the cap was square, ‘pileum’ when round. Gascoigne, in his Theological Dictionary (ap. Bulem. II. p. 257), tells us that at Oxford the round cap was worn by Doctors in all the Superior Faculties: he declares that this ornament was bestowed by God himself on the Doctors of the Mosaic Law. Later, the round velvet cap with coloured silk ribbon was worn by Doctors of Law and Medicine only, by whom it is occasionally still worn on state occasions at Oxford, and more frequently at Cambridge. So at Caen: ‘angulo carens in signum carentie sordium, quia ubi angulus, ibi sordes carmen dicuntur’ (Fournier, III. No. 1718). A less gorgeous round cap is worn by the Oxford Bedels.

4 The undergraduate seems from an early period to have coveted this distinction. Cf. Prantl, Inge stadt, II. p. 113. Lodge’s print of Oxford costumes (end of seventeenth century) shows the B.A. and the foundation-scholar wearing the square cap but without the tuft,
superior Faculties wore birettas or other caps of red or violet. In the Faculties of Law and Medicine the place of the biretta was usually taken by a 'pileum' more or less resembling the round caps still worn on state occasions by Oxford and Cambridge Doctors in those Faculties. And at Oxford also by the Bedels. It is only in post-medieval times that the biretta, first without, then with the sacred 'apex,' has been usurped first by Bachelors, then by undergraduates, and now (outside the Universities) even by mere choristers or schoolboys.

When the cappa was not required, Master and scholar alike wore clerical garments of a less formal character described by a great variety of names, of which the commonest is 'tabard.' Cursory lectures, for instance, might be delivered in this garment. Some Statutes forbid the assumption of a girdle round the waist by simple students; by others it is prescribed and the removal of the girdle at graduation is treated as symbolic of emancipation from the other undergraduates and graduates in Law and Medicine wearing round caps. At a later period, the tassel-less cap was worn only by Servitors and Bible-clerks. It is still worn by the choir-boys of Oxford Colleges. At Paris students of Theology in the Cistercian College were in 1335 allowed to wear 'nigra bireta,' though formerly worn only by Bachelors. Felicien, III. p. 175.


2 So Bulzès, Remarques sur la dign. du R. p. 24. The hood of the Rector and Proctors, but not the tippets, had disappeared in Du Boullai's day, though still worn by 'les adjoints des dits Procureurs' (ib. p. 25). It is curious that everywhere else throughout Europe, hoods have disappeared and tippets remained in England the hoods remain while the tippets have disappeared, though Cambridge hoods retain traces of them, and the Cambridge Proctors wear their hoods tippet-wise. A curious piece of Rectoral and Proctorial dress survives in a rudimentary form in the robes of Oxford Proctors and Pro-Proctors, i.e. the purse now reduced to a triangular bunch of stuff at the back of the shoulder. It is presumably a survival from the very earliest period, when Rector and Proctors were primarily collectors and spenders of common funds, see above, I. 312 sq. p. 312 sq.

At Paris, the Rector in Du Boullai's time and earlier the Proctors wore 'une grande bourse violette à ceinture' (Remarques, &c., p. 25. A purse is also mentioned among the insignia of the D.C.L. at Oxford. Correspondence of Babylon, ed. Williams, 1879, I. 275.
pillaris. In some Universities it formed part of the
active costume of graduates in Law and Medicine.
I has not been conservative in the matter of cos-
that, as in more important matters, the Laudian
was best to obliterate the very remembrance of the
past. It is probable that no gown now worn in
as much resemblance to its medieval ancestor.
ord scarlet Convocation habit worn by Doctors of
Faculties over their ordinary gown is still called
but it has not retained its ancient shape. If the
wants to see a true medieval cappa he must
Cambridge upon a degree-day. There he will find
Vice-Chancellor and the Professors who
or degrees in the Superior Faculties arrayed in
which exactly resembles a fourteenth-century
of the Chancellor contained in the precious
lor's book' of Oxford. It is a sleeveless scarlet
ed with minever, with a tippet and hood of the
erial fastened thereto¹. The toga was originally,
appear, simply an unofficial robe or cassock worn
e cappa — much the same as the tabard, but
longer. Gradually it assumed the form of a dis-
academical dress, which, in the case of Masters
has entirely superseded their ancient black cappa².

⁰ was the original form
m the question which,
John of Salisbury, was
ed in the Schools of his
ter a man who buys
a' had bought the hood
yg. I. cap. 3. Cf. the
passages in the Dictio-
Johannes de Garlandia
Lex. lat. du XI' et du
p. 25 : 'Quidam decla-
lliciorum reparandorum
er plateas civitatis et re-
ras epitogiorum et palli-
m partem furando.' A
Heidelberg requires the

¹⁰. A. to incept 'cappa nigra vario
subducta vel ad minus in habitu novo
vario vel serico subtracto' (Hautz,
Gesch. d. Univ. Heid. II. p. 353). As
to the difference between the cappa
and the pallium (often prescribed as
syonyms or alternatives', cf. Car-
mina Burana ed. Schmeller, p. 75 :
'Contra frigus hiemis
Pallium cappare,
Veris ad introitum
Cappam palliare.'
² So at Prague, a Statute of 1567,
forbidding Masters to attend the acts
of the Faculty 'ab eque tabardo vel
habitum sui gradus' (Mon. Univ. Prag.
Ch. XIV. distinguished by the sobriety of hue characteristic of modern clerical tailordom. In Oxford the prejudice ran in favour of green, blue, or blood-colour\(^1\). In the universal change to sombre black we may see a symbol of the way in which sixteenth-century austerity eclipsed the warmth and colour of medieval life.

Meaning of *clericus*.

`The philosophy of clothes` in its application to the medieval Universities is a less superficial matter than might at first sight appear. It throws much light upon the relation of the Universities to the Church—a question often debated with more zeal than knowledge by writers who imagine themselves to have some polemical interest in the issue. The misconceptions which prevail on the subject are due to an inadequate appreciation of the meaning attached to clericality in the Middle Ages. Even Savigny treats the term `clericus,' when used of a medieval student, as a synonym for `scholaris' without any distinctive meaning\(^2\). The Bishop of Oxford, on the other hand—if I may venture to criticise so learned a medievalist—seems to assume that every *clericus* was necessarily in minor orders\(^3\). The fact is that clericality in the Middle

---

1. See the numerous wills proved in the Chancellor’s Court at Oxford *Mun. Acad. 505–727*, which clearly show the distinction between the *cappa* and the *toga*. The first was an academical or at least a clerical garment, the latter was worn also by citizens.

2. Savigny, *cap. xxi. § 72*. He adds that the right of carrying arms conferred by the Statutes does not suit the ecclesiastical state: but the Chancellor of Oxford, who was often a Priest, enjoyed a similar right, which was a necessary protection in the discharge of his duties. *Mun. Acad. p. 355.*

3. In the *Report of Ecclesiastical Courts Commission* (London, 1883): Historical Appendix, p. 160, Bp. Stubbs remarks `That the functions of an ecclesiastical judge should be exercised only by persons qualified by the possession of Holy Orders, seems to have been a principle so universally admitted as to require no general enactment.' In support of his contention, he quotes prohibitions of *laymen* exercising such offices. It is probable that most ecclesiastical judges had received minor orders, which are not *holy orders*; or at least the tonsure from a Bishop, but graduates in Canon Law seem often to have acted as ecclesiastical judges—at least in Oxford—though only *clerici* in the same sense as other scholars.
Ages, though it did not necessarily imply even the lowest grade of minor orders, did imply a great deal. The adoption of the clerical tonsure and dress conferred, so long as the wearer continued celibate, the immunities and privileges of the clerical order—exemption from the secular courts, personal inviolability and the like—in as ample a measure as they could be enjoyed by the Bishop or the Priest. The singers and servers of Churches—predecessors of our modern 'Parish Clerks' and Cathedral 'Lay Clerks'—the judges and practitioners of the ecclesiastical Courts, at one time many of the secular judges and lawyers, as well as a host of 'clerks' in the service of the Crown or the great nobles, belonged to this class. The lowest of the people often took the clerical tonsure simply in order to get 'benefit of clergy': to become a 'clerk' was in fact at one time equivalent to taking a licence to commit murder or outrage with comparative impunity. The relation between clerkship and the minor orders is, however, an obscure subject. According to the Canon Law the conferment of the tonsure is quite a distinct act from the admission to the order of 'Ostiusarius': but the ceremony has to be performed by the Bishop or some specially privileged dignitary. It would be difficult to say what proportion of the medieval 'clerks' were actually in minor orders. As a rule it would appear from the episcopal registers that the tonsure was conferred at the same time as the lowest grade of minor orders—that of Ostiarius. But there is no evidence that the students of Oxford or Paris had as a rule received either the clerical tonsure or the order of Ostiarius from a Bishop, and yet they are always regarded as clerks. Had any formal ceremony been considered essential to clericality, it is one which would be certain to be sometimes neglected, and we should find attempts to enforce

1 An early Commission of Assize is always addressed to a certain number of clerici and a certain number of sacerduces.

2 I am informed that the tonsure is still sometimes conferred on Seminarians of the Roman Church without any ceremony, but in that case it is not technically considered the tonsura clericalis.
its observance: but there is no trace of any such attempts. It would appear therefore that nobody but the barber officiated at the ceremony, though no doubt the tonsure had to be formally made over again by the Bishop before ordination. Large numbers both of graduate and undergraduate scholars were of course either in holy or in minor orders; but, if they took orders, it was in order to hold a benefice, not to qualify themselves for any University office or position. Only in the Faculty of Theology were holy orders—in some Universities Priest’s orders—required for the Doctorate. Orders were not required for even the highest University offices—such as the Chancellorship at Oxford; or in the case of the earliest Colleges, either for a Headship or a Fellowship. The gradual increase—at least in the English Universities—of Fellowships which required holy orders, was due mainly to two causes. In the first place the Colleges were mostly designed for Theologians, who had to take holy orders at that stage of their career at which it became necessary for them to preach; and secondly, it was a subsidiary object of most College-founders to get masses said for their souls, and

1 The only exception I have met with is at the Lombard College in Paris, where a Statute provides ‘Quod predicti domus scholares sint et esse debant clerici de Italia et de legitimo matrimonio nati, et quod illi qui ad presens clerici non existunt, promittent et facient se insigniri caracere clericali infra festum nativitatis beati Johannis Baptistae proxime venturum’ (Felibien, III. p. 428). Here it is evident that a formal tonsuring by the Bishop is meant. This was a regulation made by Italians for Italian scholars, and in Italy scholars were not treated as clerici, unless regularly admitted ‘ad tonsuram clericalem’ by the Bishop. Even at Paris we find an oath administered to Determiners ‘habebitis coronam irreprehensibilem, si gaudeatis beneficio corone’ (Chartul. Univ. Paris. T. II. App. p. 673). Still, the enjoyment of clerical privileges in the University never seems to be dependent upon regular admission to the tonsure, and that a University scholar might be not superambonem ‘tonsewryd,’ at least in England, is proved by Pastor Letters, ed. Gardner, 1872, II. p. 239.

2 A Canon of the Second Council of Nicea, embodied in Dec. Grat. P. I. Dist. lxix. e. 11 begins: ‘Quoniam uidemus multos sine massae impositione a paruula etate tonsuram clerici accipientes, nondumque ad episcopo manus impositione percepsi super ambonem irregulariter in collecta legentes.’ The irregularity would seem to have originated in Northern Europe.
est alone could say masses. In Germany and Spain the tendency to make University and College offices, in the modern sense of the word, was promoted as the practice of endowing Professorships with prebendarial the University of the Northern type the teacher, like the Master, though not necessarily ordained, was an ecclesi.

But the only serious obligation which his ecclesi- cal status imposed upon him was celibacy. If a Master ed, he lost his Regency. It was not till the Reform of the University in 1454 that this regulation was modified at all even in the case of the least ecclesiastical of the sities—that of Medicine. As to the marriage of the to marriage the case is not quite clear; it is possible that he of the marriage the case of the marriage of the and that he at one time have lost the privileges of 'scholastic,' as an ordinary clericus in strict law lost his benefit of t; but in fifteenth-century Oxford we find married us not unknown. As he would be certainly in-

- tonsured clerk, though alto to marry, lost the privileges of a clericus, and was exonerated from the duty of wearing the tonsure habitus clericalis. Decretal. X. Lib. III. Tit. iii. cap. 7, 8, 9. there was much inconsistency theory and practice on this could, of course, retain it the could become a priest or by divorcing his wife. Jur. M. No. 301; Chartul. Univ. II. No. 565.

- us, IV. pp. 894-5. Before the admitted 'ad lecturam suorum in,' i.e. to M.B., the student preserved to swear that he was married. In 1395 it was decided that Licentiate who had married his M.B. might be form- ened though he might not e his Regency Afterwards, in Index, No. 928. Priests, it remembered, could not study Medicine without a dispensation. In the South-German Universities, married graduates and undergradu- nates are occasionally contemplated. Cf. Kosegarten, Greifswald, II. p. 36. The often-cited case of the early German—not (as sometimes stated)' Parisian—Doctor, Manegald, whose wife and daughters were also teachers, is not to the point, since it appears that they were 'religione florentes' (Richardus Pictaviensis ap. Martene. Ampl. Coll. V. c. 1169), i.e. nuns. Of course, a married man could be a Master when his wife had become a nun.

- In 1459, an Indenture between Town and Gown at Oxford has a proviso, 'that if any clerk or Scoler, having a wyf and hóweshold within the precinct of the Universite, or any Scolers servant, sell any opyn merchandise... as touching such merchandising, they be tailliable,' &c. Mun. Acad. p. 347.
Ch. XIV. capacitated for taking a degree, it is clear that the married undergraduate would be at most an exceptional anomaly. The prohibition of marriage in College Fellows—whether express or implied—was not due to any desire to make the Colleges ‘monastic,’ but was simply a part of the already established system of the Universities in which they were situated.

Charivari. In the less ecclesiastical Universities of Southern Europe there was, as we have seen, no objection to the marriage of either Doctor or student. At the University of Aix a resident Doctor or student who married was required to pay ‘charivari’ to the University, the amount varying with the degree or status of the man, and being increased if the bride was a widow. Refusal to submit to this statutable extortion was punished by the assemblage of students at the summons of the Rector ‘with frying-pans, bassoons, and horns’ at the house of the newly married couple. Continued recusancy was followed by the piling up of dirt in front of their door upon every Feast-day. The Statute concludes by justifying these injunctions on the ground that the money extorted was devoted to ‘divine service.’ In the Colleges, even in Italy, celibacy was required because it was the education of ecclesiastics that the pious Founders usually wished to promote.

Lectures.

We must now endeavour to picture to ourselves the way in which the average student passed his time. The records at our disposal are seldom sufficient to enable us to say exactly how many hours a day were usually or necessarily spent in study. I shall therefore attempt to reproduce in detail a day in a medieval University. It seems to have

---

1 I am informed by a clergyman in a poor district of S. E. London that his parishioners are in the habit of going to other parishes to be married by stealth, to avoid similar demonstrations, which cannot now (it appears) be averted by the payment of ‘charivari.’

2 Fournier, Statutes des Univ. Franc. III. No. 1589.
usual to attend as a maximum three lectures a day, it is hardly possible to say how long they lasted. 

At Heidelberg, we find a Statute scolares magis disciplinari vale-ordinavit facultas (Artium), quod set scolaris in posterum promono- 

ad maius audiat tres lectiones 

cum diligencia (Hautz, Gesch. 

H. I. p. 347). At Leipsic a scholar is only allowed ear 'duas lectiones in die de 
ad gradus;' no third lecture 

counted nisi Priscianum brem 
et loyiam Hesbrī (Zarncke, 

lutenbächer, p. 310). At Greifs- 

the student was to attend two 

ree lectures and two 'exercitia' 

e. Kosegarten, II. pp. 308, 310. 

For the use of 'Exercitium' and 

putacio' as synonyms, see 

cke, Statutenbächer d. Univ. 

ig, p. 394; Kosegarten, Greifs- 

II. pp. 219, 301, 302, 310. In 

Universities it seems to have 

usual to have disputations in 

subject-matter of each book lec- 
	on, as at Ingolstadt, where 

Lecturer on each book was to 

the 'Exercitium eodem an- 

num' Prantl, II. 501. Perhaps in 

cases the 'Exercitium' was 

sharply distinguished from the 

sumpicio.' 

In a Statute of Leipsic in 1483 

rs the best explanation of the 

sumpicio which I have been able to 

item placuit, quod omnes re- 

cciones publice, a quibuscumque 

deunt fieri de licentia decani 

umn et per modum examinis, 

quod scolares diligenter exami- 

nentur et audiantur, ut eorum igno-

rances succurratur. Si autem resu-

mens voluerit aliquid pronunciare, 

ut a scolaribus materia habeatur, 

factit hoc uno die, sequenti vero re-

examindando, sub pena privacionis 
pastus eiusdem resumptionis,' &c. 

(Zarncke, I. c. pp. 394-5). Four Mas-

ters were annually appointed to 

conduct such 'Resumpeciones' (ib. 

458-9). At Ingolstadt, a little later 

(1473), none are to resume to more 

than 12 scholars or 8 B.A.s (Prantl, 

II. p. 50). The Resumption was 

held twice a day for scholars, and 

once a day for Bachelors (ib. II. p. 74). 

Elsewhere the Resumption is ex-

plained as a 'summary examination' 

of the matter of a previous dispu-

tation. The Resumpecio is no doubt 

much the same as the Repetitio 

of Bologna, a term used at Cam-

bridge; at King's College, 'Quotidie 

fiat repeticio lectionis praecedentis 
ante lecturam novae lectionis' (Doc. 

ap. Rogers, Hist. of Agriculture and 


In the old Statuta Aularia (I. 4) of 

Oxford it is provided 'quod lecturam 

matutinam in aula et post meridi-

anam recitationem eiusdem quilibet 

in facultate sua diligenter et attente 

occuruet.' This resumption by the 

scholars themselves is no doubt the 

original form of the institution 'see 

above, I. p. 497', which at Oxford 

was not so early superseded by 

magisterial superintendence as else- 

where.
Ch. XIV. these less formal observances seems to have been the College or Hall rather than the public Schools; and there is a tendency to increase the number and the compulsoriness of these more private lessons. No doubt the growth of these supplementary College lectures was connected partly as cause and partly as effect with the improvement in discipline which has already been noticed. The history of the medieval Universities, regarded on their higher intellectual side, is in the main a history of decline and decay. In the Universities of the fifteenth century the intellectual ferment of the days of Aquinas was no more: the intellectual life which always attends the discovery of new knowledge had passed away. But it is not clear that for the average student the fifteenth-century University was not a better place of education than the University of the thirteenth. The lectures may have been better worth hearing in the public Schools of thirteenth-century Paris: but—so far as the scantiness of the earlier records enables us to judge—the average student was compelled to do more work and given more assistance in the Halls and Colleges of the later Middle Age than he was in the days when the Friars and the Seculars were contending for the control of European education. It is no unfamiliar experience to find that what is the best education for the exceptional man is the worst possible education for the rank and file. In particular, as has already been incidentally noticed, that improvement in grammatical education and Latin writing which was quite independent of the Italian influence, but which to a large extent prepared the way for the reception of Renaissance ideas in Northern Europe, may be distinctly traced to the improved educational methods of the Parisian and Oxonian Colleges. How well recognized this improvement and its cause were at the time may be inferred from the fact that in the course of the fifteenth century it was proposed to reform the

1 See e.g. Felibien, V. p. 669.
2 Thus at Leipsic, in 1499, the Resumphio included instruction in Latin verse-making and Prose ("modo epistolandi"). Zurncke, Studentenbücher, pp. 458-9.
ersity of Lisbon by establishing in it "Colleges on the 1d of those of Oxford and Paris" with the express purpose of correcting the prevailing 'ignorance of Latin.'

Divine Service.

earlier times, as has been already said, it appears plain that the average student did not attend Mass or any other religious service before going to lecture. It is recorded as a piece of extraordinary piety in canonized saints that they were in the habit of hearing Mass at an early hour. Among scholars, as in the community rally, church-going seems to have increased in the Middle Age. At Vienna we hear that a bell rang the whole hour between five and six to rouse those who wanted to hear Mass before their day's work began. Attendance was not compulsory. Even in Colleges earlier Statutes enjoin attendance at Church or Chapel on Sundays, Holidays, and Vigils. At Oxford the sites of New College are the first which require a daily dance at Mass; but towards the end of the fifteenth century we find that daily Mass was enforced even on the ants in the unendoed Halls. Such attendance was

Collegios a exemplo dos de a e Paris' (Braga, Hist. d. de Coimbra, I. p. 143).


Goulet, Compendium, f. viii. 6;

the Statutes of S. Nicolas de Lipara at Paris, the scholars are required 'interesse qualibet nocte Matutinam' ('Bulaeus, IV. p. 140); but such a provision is exceptional. The requirement of Confession four times a year is rare. Féliebien, III. p. 510. They are sometimes required to attend University sermons. A Statute of the Coll. des Cholets in 1415 requires Mass to be said at 7 a.m.: "itaque pro missis audiendis discurrendi occasio bursarum amputabitur' (Jourdain, p. 235).
not, however, necessarily before morning lecture. Lectures began at about 6 a.m., though in some Universities and Colleges the hour of the first lecture or Mass is as early as 5 a.m.\(^1\) in the summer, and as late as 7 in winter.\(^2\) In practice it is probable that the time varied with the season, though they often began in the dark without artificial light. Medieval lectures often lasted much more than the conventional hour of a softer age: in some cases the prescribed period for the first morning’s lecture is no less than three hours.\(^3\)

**Meals.**

Mr. Anstey, the Editor of the *Munimenta Academica*, finding no record of any meal before dinner, confidently assumed that breakfast must have taken place not later than 7 a.m.\(^4\). It is natural that an Oxford Tutor should find it impossible to believe in the non-existence of that all-important meal of modern Oxford. But the Empiricist might well point to Mr. Anstey’s incredulity as an apt illustration of his doctrine that inconceivability is no test of truth. It is abundantly evident that, so far as regular meals or College allowances are concerned, no provision was

---


\(^3\) E.g. at Perpignan ‘Fournier’, III. No. 1485, p. 667. This was in Law: in Arts a lecture would probably be much shorter to allow of a ‘repetitio’ immediately afterwards.

\(^4\) *Mun. Acad.* p. lxv. The passage which Mr. Anstey quotes to show that ‘lectures began at 9 o’clock’ refers to Determinations.
MEALS.

The College Statutes which contemplate anything of the treat it as an indulgence to weaker brethren: at one em it is only to boys under twenty that bread and may be 'temperately ministered' in addition to the regular meals. Even in the fifteenth and sixteenth of the 'jentaculum' or early breakfast had d into a regular institution, it was still regarded as an a' which the hardier and more economical student l dispense with. The period from 6 to 10 was the sacred time of the day for study and lectures. After r at 10 or (later) 11, followed perhaps by a post-prandial tation, there was a short interval for exercise and reion, in so far as such indulgences were supposed to be sary. Lectures or disputations were resumed again

the thirteenth century, when ear nothing of 'jentacula,' may have been earlier.

Statute of the College of a at Toulouse, in 1387, after bition of any allowance of vic-way from the common table, hes: 'Per hoc autem prohibere intendimus quo minus pueros viginti annis pro victu indigentibus panis et vinum somniopinm communem tempvaleant ministrali.' (Fournier, 593). So in the Statutes of ding's Hall at Cambridge in (Rymer. *Fossae*, 1749, III. p. 94): 'Quantum vero ad culula, dictis scolaribus mini, ordinans Custodis et allorum volumus observari.' (Green's, Oxford *Statutes*, p. 19). 'Jentaculum preciosa' are forbidden, may indicate that some ush was usually takeq. An nce of bread and wine is tiated in the sixteenth-century la. Stat. Coll. Hisp. f. xvi. hdone c. 1500' allows a crust and by way of 'jentaculum' to L. II (2).

the boys, but not to the Theologians. The old Oxford Aarian Statutes (f. 5) forbid access to the 'promptuarius' or kitchen 'causa prandendi, jantandi, cenandi, aut bateo.

I may remark that 'battellare' originally meant to pay for something *extra* (like the Cambridge 'to size,' or 'sizing'); 'battels' are always distinguished from 'commons,' though the word is now applied to all College bills. (The Winchester Collector's weekly pocket-money is still called 'battlings.') Even in the seventeenth century, breakfast consisted of a piece of bread and pewter of beer, consumed in the buttery or in the man's own room. It was thus the first meal that was taken in rooms. See Wordsworth, *Social Life at the English Universities in the Eighteenth Century*, Cambridge, 1874, p. 122 sq. Cf. also Erasmus, *Opp. I. cc. 863, 865, 866* (references which I owe to Mr. P. S. Allen).

2 Islip's Statutes for Canterbury College provide that 'cum post vesperas communiter scholares spatiiari et aerem capere paulisper consterveat, volumus quod socii qui spa-
perhaps at 12 or 1, and the ideal student was no doubt supposed to study till supper-time at 5. On Fast-days in some Colleges dinner was at 12 and supper disappeared. In many Colleges and Halls there was some kind of disputation (in Germany styled *Exercitium bursale*) in the evening; but on the whole it would appear that the evening, or part of it, was usually in the main considered the time for whatever amusement medieval student-life allowed. Amusement was, however, a thing which the medieval ideal of student life hardly admitted at all: but the evening was certainly the time when the less industrious student took his amusement. Even in the comparatively disciplined Halls of the fifteenth century, the boys roamed the streets freely till 8 or 9 o’clock: though by the end of this period life in some of the stricter Colleges had been reduced to a round of lectures and exercises which left little space for any recreation except what may have been supplied by the ‘honest jokes’ with which the Tutor is sometimes required to entertain the company after dinner and the half-hour’s light disputation which followed it. Wandering in the

tiari volunt, adivincem se conferant et ambulant, bini et bini de doctrina vel de honestis solatiis conferendo, et sic simul redant tempestivi’ 
Wilkins, *Concilii*, III. p. 54. Walking alone was not merely unmonastic; it was considered undignified or ‘bad form’ for persons of the least consideration. We find Masters warned against it in a commentary on the *De Disciplina Scholastium*.

1 At Greifswald, the regular hours for Lecture (for Jurists appear to be 6 a.m., 9 a.m., 4 p.m., not including the ‘Vesperinum exercitium’ after supper. Kosegarten, L. p. 92. At Ingolstadt the possible hours (in winter were 8 and 11 a.m., 1, 2, 3, and 5. *post comum*; p.m. Prantl, *Gesch. d. Univ. Ingolstadt*, II. p. 109 sq.

2 At Ingolstadt (in 1473) this was followed by a ‘publica convenerato,’ presided over by the ‘Conventor’—no doubt for practice in Latin, a note of the dawning Renaissance. *Prandi*, II. p. 50.

3 Cf. the *Carmina Burana*, ed. Schmeller, p. 73:

4 Stratu continent summo te mass levato,
Facque legendo moram quartum
duntaxat ad horam,
Quinta sume cibum, vinum bibo, sed
moderatum.
Et pransus breviter dormi, vel ludes
paramper.

Si tempus superest, post cum
ludere prodest.’

4 See the regulations for *Lorain* in 1476, below, *App. XXIX.*
or evening exercises over, at curfew the company Ch. XIV.
rambled in the hall or parlour, and had a 'drinking' or
was called in Monasteries) 'collation' before going
and evening Ante-

g Phons.
form of evening prayer in scholastic communities.

Standard of Living.

before pursuing the subject of medieval amusements Various
be well to examine a little more in detail the ordinary
of life in the Hospicioum or College. Exaggerated
its are often given of the poverty of the medieval
—especially of the class for which the Colleges were
ed. The University students of that age were drawn
very class of society, excluding probably as a rule the
west. though not excluding the very poorest. The
of living varied as widely as the social position of the
rs. There was the scion of the princely or noble
who lived in the style to which he was accustomed
ome, in a hostel of his own with a numerous
ia,' including poorer but well-born youths who dressed
him and acted as his 'socii' or humble companions,
plain, and (if young) a private tutor, besides the

Statutes of New College,
Post potationes in aula hora
' So in the old Aulian St.
8 : 'Post gloriosa virgini
nam decantam et biberium
num.' At New College the
son was sung in the Chapel
II. App. p. 689. At Jesus
Cambridge, two biberae were
per diem, consisting of
pintam potus cum portiuncula
Documents, III. p. 114). The
these was no doubt the
known as 'nunnyns' or 'nun-
whence our 'luncheon'; at
3 p.m. or in practice earlier'.
see Reg. of Exeter Coll. 1894),

Thus, at Paris, the brothers
Thomas and Hugh de Cantelupe
'tenebant magnum hospitium et
habebant in familia suam et ad
expensas et robas suas (id est in
obsequiis et ad rem domesticam
curandam) probos viros inter quos
erat magister Petrus de Buttevilt,
magister in Artibus, qui fuit post-
modum seneschallus dicti domini Wal-
teri Wigorniensis episcopi' (A. SS.
Thomas lived by himself, 'habebat
secum continue in familia sua et
de robis suis unum capellanum, qui
celebrabat continue missam dicto
domino Thomae valde mane et ante-
quam iret ad scholas.' Moreover,
his valet 'dixit, quod in dictis studiis
ordinary servants \(^1\). At the other end of the social ladder there was the poor scholar, reduced to beg for his living or to become the servitor of a College or of a Master or well-to-do student \(^2\). At Vienna and elsewhere there were Halls (styled Codrii or Domus Pauperum) where continue dabat ad comedendum quinque pauperibus ad minus in domo sua, et aliquando tredecim; et de fragmentis et micis mense sue vivebant saltem duo pauperes scholares' (ib. p. 545). In smaller French Universities, special privileges are conferred on 'nobiles ita viventes,' which is thus defined at Dole: 'Proprium habitet et teneat domicilium, habetque secum tenere socium honestum et sibi simili panno vestitum, atque duos famulos honeste indutos, qui, aut saltem unus eorum, cum prefato socio ipsum per villam et ad studium vel aliis locis et actibus scolasticiis jugiter associant, librasque suos, cum opus fuerit, ad scolas sive studium defferant, ac reportent,' &c. A noble who only kept a Master and one servant took a lower place in University functions (Fournier, III. No. 1616). At Montpellier, the student is esteemed 'noble' who brings 'ad minus unum consocium, duos scutiferos, unum coquum et duos famulos' (Fournier, II. No. 1103).

\(^1\) Even at Bologna we find in the Register of the German Nation that youths belonging to the higher nobility came up attended by a 'Magister suus,' or later 'Pedagogus suus' (see Acta Nationis Germaniae, passim); e.g. Frederick Duke of Austria thus came to the University in 1332 (ib. 92; cf. Malagola, Monografix, p. 294). The young gentleman was often already a highly-placed dignitary. Two Provosts come up with 'Magister eorum' (ib. p. 99); and a Hungarian Bishop is attended by a Doctor of Decrees as his 'Pedagogus,' a Canon, a Chaplain, and three Scholars as 'famiarii' (ib. p. 215). In 1465, Wolfgang, Count Palatine of the Rhine, matriculated with a Doctor of Decrees as 'pedagogus,' a Master and four scholars as 'famiarii,' ib. p. 215.

\(^2\) For Prague, cf. Tomek, p. 336. At Leipsic, in 1443, 'servitores magistrorum' are exempted from later, partial exemption is granted to those 'qui in parte vel in toto servitutum laboribus manuum aut servitutum nutriunt et sustentant,' and they are still more humble class of 'omnem pauperes' (Zarncke, Statutenbuch, pp. 360, 397). The Statutes of the house tell us that at Paris 'quod domus scolarium ... quamvis a se tenuit et exilis' supplies 'unum pauperem clericum' or fragments (Devic & Vaisse, Notes, c. 546). Salimbene tells a story of a nephew of U IV, created a Cardinal by him; 'erat prius vilia scholaris in tali ut etiam aliorum scholarium, quibus studebat, carnes e magistri portaret.' So Petrus de Vinea, Minister of Frederick II, 'esse scholaris Bononie mendicis nec habebat quod comederet.' G. Bonati ap. Sarti (1808), L p. 143. Cf. Oxford Reg. f. 87, where 'omnes scolares praefaces librorum magistrorum' were to be allowed to count attend at their Masters' lectures in lieu of those prescribed by Statute. Greifswald every Master could emport one 'familiarium' from fees for which privilege he is to walk abroad unattended. Garten, II. p. 304 (cf. pp. 265, et
s were regularly turned out to beg and the proceeds in a common chest. In the Oxford Halls there was a class of students known as 'battellers' who were d to wait on the others before sitting down to
Still poorer scholars were granted licences to beg Chancellor. It must, however, be remembered that ample of the Friars had made mendicancy comparable respectable. Many a man who would have been d to dig was not ashamed to beg; and the begging was invested with something like the sacredness of gging Friar. To support a scholar at the Uni-
or to help him on a smaller scale by giving him ing at the door, in return for a prayer or two, was gnized work of charity in the medieval world.

service, again, implied less social inferiority in then gentle youths were habitually brought up as

, II. p. 329. So at Leipscia poor to live in the regular
ibus non est tanta facultas, omnadatim quinque grossos sensis exponere possint (Statutenbücher, p. 72). At
ve hear, in a list of Halls, ling-Courte que fuerat una superum (Merton Register, se, XXII. 320). Occasion-
table persons would receive holar into their houses 'pro
or for the soul of a relative. Gloria, Mon. d. 1318–1405, II. pp. 329,

d battellarius quisquam in bus communibus de victua-
vit antequam se ad refi-
transeat sub pena iud. (Old 
ars, f. 7 a). The learned 
was once a 'Batteller' of
At that time he did not others but fetched his own from the kitchen and ate the Hall. (I am indebted nee of tradition to the vener-
able Bishop Hobhouse.) It is not quite clear whether he was exactly the same as the 'semi-communarius'—probably he was so; in any case the latter was no doubt one who paid for and ate smaller rations than the rest—possibly only one meal instead of two (a practice known elsewhere). At Queens, Cambridge, the two servitors of the President are to re-
cieve their commons 'per modum semi-commensalium' (MS. Statutes, f. 27). Originally, the 'Baller' was a poor scholar who acted as the personal servant of the Fellow who appointed him. (Shadwell, in The Colleges of Oxford, p. 112.) The Paris 
Camerista seems to have been in the same position (see above, I. p. 475): so at a College at Caen, the 'bursarius' who cannot pay 'portio sua' (by the aid of his scholarship 'poterit domo morari sicut camerista'. Four-
ier, III. No. 1713), though forbidden to live 'ut martineti extra septa hujus-
modi Collegii.' The surviving Cam-
bridge 'Sizar' must once have fared like the 'Batteller.'
Ch. XIV. pages to Bishops or Abbots. For these poor scholars, 'ladder' of a University career was thrown down by partial or entire remission of University dues and Lecture fees\(^1\); though in some cases the scholar who graduated \textit{in forma pauperis} was made to swear that he would pay the fees if he ever came 'to fatter fortune.' But after all, as we see from the University records, it was only a small proportion of the students in a University, a still smaller proportion of University graduates, who belonged to the pauper or servitor class. The vast majority of scholars were of a social position intermediate between the highest and the very lowest—sons of knights, yeomen, merchants, tradesmen or thrifty artisans, nephews of successful ecclesiastics, or promising lads who attracted the notice of a neighbouring Abbot or Acolyte. So habitual was this kind of patronage that a large proportion of University students must have been supported by persons other than their parents, who were related to them or not.\(^2\) The Colleges represent simply an extension of this widespread system.

\(^1\) At Paris the fees were fixed at so many 'bursæ,' i.e. so many times the weekly board. The pauper scholar is entered as one 'cuius bursa fuit nihil' (\textit{Registern}, \textit{passim}). So at Prague in 1371 a scholar 'petens dimensionem bursae propter Deum' must swear 'quia in conscientia mea non habeo ultra libros et vestes in presenti de prevertibus quibuscunque res valentes tres sexagenas aut duodecim florenos, et quam cito habebo res tantum valentes, libenter persolvam sine dilatatione.' (\textit{Mon. Un. Prag.} I. pt. i. p. 47. As to Leipzig, cf. Zarrncke, \textit{Statutenbücher}, p. 376.) At the Church-schools attended before or as a substitute for the University, poor scholars were often received \textit{gratis}, e.g. at Worms: 'nulli tamen pauperi advenae et mendicanti Scollarum introitus preclusurus' (Schannat, \textit{Hist. episcop. h. I.}, p. 161), and the rich paid in proportion to their means. At Ingolstadt the poor were by Statutes permitted to lectures free (\textit{Prasso}, p. 114), and the practice was prevalent even where it could not be claimed as a right. At S. Andrea an Inceptor swears to pay 'cum re niret ad pinguiorem fortunam' ('\textit{Acta Fac. Art.} f. 88 b'). At Universities of the Bologna type provision is made for the admission of a limited number of poor graziers. As a rule no doubt the poor scholar would leave without the M.A. degree.

\(^2\) How universal this system may be judged from the \textit{Innu of Henry VIII} in 1535 (\textit{Wit. Dissolution of the Monasteries}). No doubt diminished the sup
RICH AND POOR STUDENTS.

ny University students no doubt lived in the direst way. There is a famous story of three students who were poor that they had but one 'cappa' between them in which they took turns to go to lecture. Numbers must have lived on bread and porridge with a little wine and meat on Sundays and Holidays. The annals of a modern University in Scotland or Germany, if not in England, would not contain such stories. But it would be a mistake to suppose that the majority of students lived in this way. Charles not then considered necessary that an ordinary graduate should enjoy luxuries unknown to his father or others at home. The medieval student lived like the students of France or Germany, not like the average English graduate. When we remember the enormous expense in a University town, at a time when the cost of living from a distance was greater than in Oxford, and the probable failings of manciples and clumsy cooks, it is no wonder that 'Oxford fare' had a bad name. But that does not imply that the ordinary undergraduate did not have regular meals, meat twice a day, quite as much small beer as was good for him.

1) That every clergyman benefited at least one scholar either in grammar School or at a University.

2) Mr. Mullinger (Cambridge, I. p. 371) quotes the words of the fallen Sir Thomas More: 'My counsel is, that we fall not to the lowest fare first; we will not therefore descend to Oxford fare, nor to the fare of New Inn, but we will begin with Lincoln's Inn diet.' Even in these luxurious days, the undergraduates' table in some College Halls would represent a considerable come-down to an ex-Lord-Chancellor.
From the graduation-lists of Paris in the fifteenth century it appears that the average 'bursa' or weekly expenses of a scholar varied between 2s. and 4s., the lower limit being the more common. The kind of living which even this represents was that of the middle classes rather than that of 'the poor'.

Nor did the standard of living in the Colleges fall below the ordinary average. We have already seen something of the domestic arrangements of the College of Spain at Bologna. A pound of meat per diem may be the diet of hard-labour prisoners but it is not the diet of paupers. And by the sixteenth century the allowance has been increased to a pound and a half. How little an endowed scholar's fare in the Middle Ages represents a minimum scale is shown by the fact that a servant's allowance of meat was only half a scholar's, while a College servant's rations are luxury itself compared with the dietary of many a medieval alms-house. The increased allowance of the later Statutes may be considered to indicate a departure from the Founder's intention; but the reader may remember that from the first there was bread and wine ad libitum at meals, and a 'collation' twice a day besides. The household arrangements of the same College likewise show anything but a niggard economy. At least as many servants are provided for the thirty-four inmates of this medieval College as would be required for that number of students in our

1 It should also be remembered before drawing exaggerated inferences from the existence of such charities as the Loan-chests of Oxford (see above, p. 350) that a medieval student was liable to be reduced to great straits by temporary failure of supplies from home. Communication was difficult, and the Jews (when and where accessible) highly exorbitant. Malagola prints an interesting extract from a letter of Copernicus when studying at Bologna in 1499 to his episcopal uncle, asking for fresh supplies. He says that his brother Andrew, who was in like straits, 'Romae servitiis se dare offerebat, ut egestati mederetur' (Monografiæ, p. 427). Yet Nicolaus Copernicus was already a Canon of Frauenburg (ib. p. 420), and the brothers paid moderately high Matriculation-fees. Acta Nat. Germa pp. 248, 25a.

lay. Among other enactments may be noted the instruction that the servants shall carry the Canonists' books for them. It is true that the whole scale of among the Italian students was rather more luxurious than which prevailed among the mass of Parisian or Italian scholars; and the Cardinal of Spain of course did his scholars to live as other students of moderate income were wont to live at Bologna; but such Statutes show the term 'poor scholar' was a more elastic one than be suggested by the moving pictures of academic life in which the picturesque historian is wont to see. When we turn to the Colleges of Oxford and the facts are not materially different. The allowance of wine at the College of Harcourt was sufficient to it expedient that College meetings (Congregations) I not be held after Common-room (post vinum). Different allowances for various grades of students that the diet of the seniors must have been by no means re 3. It is contemplated that the College foundationer be a man of sufficient social position to entertain noble distinguished guests. It is not superfluous to provide he shall not keep a private servant. In some of the in Colleges he is allowed this luxury at his own exp- 5. At New College, Oxford, a Doctor of Divinity is provided with a servant at the expense of the College, quite true that the Colleges were intended for 'poor scholars.' But a 'poor scholar' in the sense of College coders meant only a scholar unable to support himself at Meaning of 'poor scholar' in Colleges.

1 Bulaeus, III. p. 156.
2 At Navarre a Grammarian received 4 solidi a week, an Artist 6, and a Theologian 8. Bulaeus, III. p. 82.
3 Bulaeus, IV. p. 160.
4 E.g. at Narbonne (Félibien, V. p. 670) and du Plessis (ib. III. p 414).
the University without assistance. Sometimes this is the interpretation actually embodied in the Statutes: in other cases there is a fixed limit of income. When it is remembered that many of the Colleges were for Theologians, that a Theologian's training lasted nearly half an ordinary lifetime, and that his profession even at the end of that period was not directly remunerative, it is obvious that but for the assistance afforded by the Colleges none but men of considerable means would have been likely to enter upon such a career. It is, however, almost assumed that the College Fellow would, as a rule, have some small private means: since the College allowance was usually confined to bare food and clothing. At Paris it often ceased during the Vacation. In England founders were usually more liberal: but the mere fact that great prelates designed the Colleges in part for their nearest relatives shows how far they were from intending their liberality to be confined to the lowest and poorest classes, or from expecting those who accepted it to live like labourers, although at that time there was less difference than now between the diet of the labourer and that of the classes immediately above him. The will of a Fellow of Queen's in the fifteenth century shows that it was possible for a Fellow to possess several horses, besides sheep and cattle, and to have lent his father as large a sum as £7.

There was almost as much difference between the scale of living and social position of the Fellow or full 'Bursar' and the 'beneficiarum' who lived on the broken meats which fell from the College table or begged for alms at the College gates as there was between the independent

---

1 E.g. at the College of Laon from June 24 to Oct. 1, except for the Master and two scholars. Jourdain, Index, p. 108. The Coll. of Dainville requires an entrance fee of 40 solidi, with 'mappam sufficentem cum una thobalia' and 'de suo providere de lietamaminibus et coopertuis' (Félibien, III, p. 510). Elsewhere there is a contribution towards furniture. Fournier, III, No. 1643.

2 Mon. Acad. p. 593.

3 At the College of Narbonne, by the Statutes of 1379, some poor scholars are to be selected by the Prior to receive 'fragmenta seu reliquiae mensarum cum alio eorum proprio subsidio.' They were to be
ar and his student-servitor. Indeed, before the con-

ABUSE OF FOUN-

ed with a ‘suitable place’ in

to eat these remnants, and

tial to have enough

to satisfy their hunger. In

in any case to have enough

to satisfy their hunger. In

they were to serve in the

with surplises, to ring the

bell, and ‘do other things as

the Prior’ (Félibien, 667). So at the College du

in 1335 each Scholar ‘bursam

quatuor solidorum’ was to

a Beneficarius to live in the

who was sustained apparently

patron’s leavings, and served


1 In these Statutes he complains

of the ‘potentum filii et divitum qui

cæteras pias pauperum fundationes

injus occupant’ (Félibien, V. p.

733).

2 E. g. Mullinger, Cambridge, I.
p. 367, where some interesting re-

miniscences of Erasmus’ days at this

College are cited.

3 Rogers, Hist. of Agriculture and

Priories in England, Oxford, 1866,
Vol. I. 57. ' 

4 *ib. II. p. 644. There is a more

expensive beer at 20d., the quart,

and an inferior at 10d. There is also a
home-brewed small-beer must have cost far less than this. Thus 1 ½ lb. of bread, 1 lb. of meat, and ½ lb. of butter and cheese per head could be provided for about 1d. a day or 7d. a week. This would form a tolerably substantial basis for a student’s diet, leaving at least as much again for beer-money and ‘etceteras.’

As to the English Universities, it is customary to quote the testimony of Lever, Master of S. John’s College, Cambridge, who draws a touching picture of the hardships endured by the scholars of his College in a Charity Sermon preached on their behalf at Paul’s Cross. He describes their ten o’clock dinner as consisting exclusively of a ‘penye pece of bysefe amongst iiiii, hauying a few porage made of the brothe of the same bysefe wyth salte and otemell,’ and their five o’clock supper as ‘not much better’: while, for lack of fire, they were forced ‘to walk or runne up and down halfe an houre, to get a heate on their feet’ at bed-time. But Mr. Mullinger has well pointed out that this was an exceptional state of things—it represents the lowest ebb to which a College could be reduced in a time of failing revenues; and after all, two meals of soup, meat, and presumably bread or porridge, is not so very bad. We have seen that, judged by the standard of the age, the Oxford Colleges at least had begun to earn, long before the conclusion of our period, that character as homes of substantial if not luxurious comfort which they have never since lost. Any difference between them and the continental Colleges (though there too we hear of the abuse of Colleges by well-to-do persons) must have been mainly due to that life-tenure of fellowships which is peculiar to the English Universities.

payment to the ‘pistor.’ These beverages were probably strong ales like those which still occasionally appear in wine-glasses in College Halls.

1 Lever’s Sermons, ed. Arber, p. 122.
3 This feature of the English Colleges is censured by Polydore Verel (Hist. Anglica, Lugd. Batav. 1651, p. 140) who gives them a good character for morality in other respects but complains of the idle and elderly Fellows ‘qui omne vitam curricunt ibidem seae molliter curando trans-
HARDSHIPS OF STUDENT LIFE.

Hardships of Student Life.

In reading of the hardships of medieval student life, it must be remembered that many comforts and conveniences which have become necessaries to the modern artisan were then unknown luxuries except in the very wealthiest and noblest homes. If the scholar's hardships were greater than those of his class elsewhere, they were largely those which were inseparable from his sedentary life. In the first rank of such hardships must be placed his sufferings from cold. In France and England we hear nothing of fires in the School and there are very slight traces of them in College Chambers. It is in fact certain that in the medieval Lecture-room there was no warmth but what was supplied by the straw or rushes upon the floor: fires were certainly not a matter of course in College rooms. A German winter must, one would think, have been insupportable without fire even to the hardy medieval, warm-wrapped in furs and dirt. In some of the German Colleges it was customary for the College to take its meals in the kitchen during the winter season: in others we hear of a common hall warmed by a stove or fire-place. But even in Germany we find that it is one of the duties of the Head of a College to make a periodical inspection of College rooms lest perhaps their occupants should have improvised for themselves grates or stoves. Other Statutes denounce with much severity the practice of resorting for warmth to the kitchen fire. At the Sorbonne we do hear of private

1 At Leipsic, in 1494, a contribution is to be levied 'ad emendandum ligna ad calefatienda stuba magistrorum' (Zarncke, Statutenbücher, p. 233). So at Paris in 1540. Félibien, III. p. 413.

2 'Ne... focos sive fornaces ibi dem construant vel habeant' (Zarncke, l.c., p. 234).

3 The following Statute of the Collège de Foix at Toulouse (1457) I cannot find it in my heart to abridge: 'Sunt nonnulli qui ita gule et ingluieci sunt dediti quod ear que in coquina parantur videre cupiunt et eis exinde melius parari expetunt, neque contenti de his que apparata sunt reflectionem sumere. Volumus, igitur, statuimus, et ordinamus ut
supplies of wood for the Fellows' rooms, and at Durham College, Oxford, the inventories of furniture contain allusions to andirons. But the standard of comfort prevalent among monks of a lordly Monastery like Durham was so much higher than that of the ordinary secular scholar that we cannot assume the existence of such luxuries as a private fire in Oxford Colleges generally in the complete absence of other evidence. At Cambridge it seems that the Parlour or (as it is now called) Combination-room was largely intended as a place for the Fellows to warm themselves in winter. The cheerless picture presented by the fireless studies is completed by the wooden window-shutters, the clay or tiled floors either bare or strewn with straw, and the unplastered ceiling. Glass windows were an exceptional luxury till towards the close of our period. At Padua the windows of the Schools were made of linen.

In 1463 a glass window was for the first time introduced into the Theological School at Prague. In 1598 the nullus collegiatus sine licentia rectoris coquinam, paneteriam, sive dispensam audeat intrare, sed si quid voluerit a rectore seu administratore petat. Si quis contrarium fecerit, puniatur pena arbitraria per rectorem indicienda. Non autem interdicimus quod si quis stomacho indispositus fuerit, possit intrare dictam coquinam et petere scutellam brolli, et coquus sibi ministrare tenatur, dum tamen talis non fingat se stomacho affligi, neque causa ad se caelefsiendum in dictam coquinam intrare audeat". Fournier, I. No. 840.

The same Statutes, however, provide for a fire 'in tinello' (the dining-hall) 'incipiendo in vigilia sancti Hieronymi usque ad festum Paschae'.

1 In the MS. Register, f. 78, a dispute occurs: 'super distributione camerarum et lignariorum': it is settled that two Fellows shall share a 'lignarium.'

2 Spelt 'aundyryna.' The inventories, a roll in the Chapter Library at Durham), were made in 1498. This fact was kindly communicated to me by my friend the Rev. H. E. D. Blakiston, Fellow of Trinity College, Oxford.

3 The early Cambridge Colleges usually possessed such a room; at Oxford, oddly enough, the Common-room seems to be a seventeenth-century invention. See the chapter on 'The Combination Room' in Willis and Clark, III. p. 376 sq. At Durham College, Oxford, there was a 'loquatium,' but this was due to its monastic character. (Inventory of 1498.)

4 Willis and Clark, III. p. 320; Josselin, Hist. of C.C.C. Camb. §§ 29-32.

5 'Bidelli scolas suas faciant cuper[i]ri et ipsarum fenestras linearis pannis vel aliter claudi' (Archiv VI. p. 451). At Paris there were windows 'de calce.'

6 Item anno Domini 1463 ... comparatum est vitrum per faciam tatem arsium ad fenestram unam is
inhabited by some of the junior Fellows at King's College, Cambridge, were still unprovided with this convenience. Another melancholy detail is the expense of candle-light in winter. When the average price of candles was nearly 2d. per lb., it is obvious that reading candle-light was beyond the means of the poorest students. No special allowance on this head was made by college. Hence, no doubt, the frequency of disputa-

ions and repetitions as evening employments, at which the candle might suffice for the whole company.

King's College inventory already mentioned and College various inventories of scholars' goods taken at Oxford furnished us to form a tolerable idea of the ordinary furniture of the student's room. The senior men usually had ordinary beds, in connexion with which various gorgeously covered coverlets, a 'celer and tester,' or 'hanging linen' curtains are sometimes mentioned. The juniors often had in trickle-beds which could be put away under ordinary bedsteads. There is usually a table with chairs or 'playne joynded stooles' or 'joynded formes,' a cistern or a trough of lead, or a lead to wash a cocke, or a picher and a bolle, are sometimes not universally mentioned. (In some Colleges there is to have been a public lavatory in the hall.)

theologorum collegii Caroli, et tempesates impediant
Illis and Clark, III. p. 325.

An inventory of furniture then taken as 'wyndowes glased,' but in cases only 'wooden leaves for
wyndowes.' The goods of a man in 1434 include 'unam
cortinam albam simbritam est fenestras camere dicti ad prabiendum ingressum pro pretio ii sol. viidi.' [Regis.

At Padua, by the Stat. 1556 (f. 126 b), the landlord of a lodging 'quod fenestrae camerarum
orum pannis lineis fulciantur.'

2 Rogers, Hist. of Prices, I. p. 414.
3 Mun. Acad. pp. 525, 565, 582, 658, 663, &c. In the Inventory discovered by Mr. Blakiston among the rolls of Durham College belonging to the Dean and Chapter of Durham —certainly the earliest Inventory of College-rooms in existence — are found a 'vertibulum,' a 'lavacrum,' and 'pelves.'


5 Boase, Reg. of Exeter Coll. (1854), p. xli.

HARDSHIPS OF STUDENT LIFE.
Ch. XIV. A 'matteresse,' a bolster, a 'pilowe,' and 'ii payre of old schetces' represent the bedding of a priest who died at Vine Hall, Oxford, in 1455: he also possessed 'i candelstik of yron' and 'i shere to snoffe candels.' In the case of humbler scholars blankets or counterpanes appear without the sheets. The musical man had his 'lewt.' There was a chest or 'cofer' or 'canveisse' for clothes; if the occupant were a serious student there would be a 'presse' or shelves for books. In the inventories of more sporting characters, knives and swords, bows and arrows, a hatchet or a silver 'misericordia' are more conspicuous than books. The aspirations of Chaucer's clerk of Oxenford represent about the maximum that an ordinary student would expect in this last department—

'For him was lever han at his beddes hed
A twenty boke, clothed in black or red,
Of Aristotle, and his philosophie,
Than robes riche, or fidel, or sautrie.'

Separate beds are as a rule allowed by English College Statutes, except occasionally in the case of the youngest boys. At Magdalen College, Oxford, Demies under 15 are to sleep two in a bed. The same arrangement is found in a monastic College at Montpellier, and is allowed by special permission of the Principal in the Oxford Halls.

---

1 Mun. Acad. p. 663. A writer of the thirteenth century thus describes the furniture which the student expected to find in his hostel, but, as the book is a Word-book, he probably exaggerates the completeness of the outfit: 'In hospitio probi hominis debent hae esse: mensa decens, mappa candida, manutergium fimbriatum, tripodes alti, trestelli fortes, torres, cremalia, focialia, stirpes some MSS. read 'stipes'), cippi, vectes, sedilia, scamna, cathedra, spondeæ et fercula facta de lignis levigatis, culcitæ, cervicalia et pulvinaria, cribrum, tarantantarum, haustrum, multea, casearium, et muscupula' (Scheler, Lexicographie Latine du XIIe et du XIIIe siecle, Leipzig, 1867, p. 51.). Moreover, 'Hae sunt instrumenta clericis necessaria: hae, pulpita, crucibolum cum sepo, absconsa et laterna, cornu cum incenso, penna, plumbum et regula et speculum, tabulæ et ferula, cathedra, assercreta cum plana, pumex' (Scheler, p. 31).

2 Prologue, ii. 363-6.

3 Statutes, p. 73.

4 Cart. de l'Un. de M. p. 348; Old Stat. Ant. f. 2.
English College rooms the usual arrangement was that scholar had a ‘study’ of his own adjoining the wings. These studies were apparently movable structures, sometimes treated as part of the furniture. In their simplest form we may perhaps picture them by the aid of Eton boy’s bureau or the Winchester scholar’s ‘toys.’ the time of the King’s College inventory they have, and may therefore be supposed to have been some- like the cubicles in the dormitories of some Public schools, though the structure was still apparently movable. he Middle Ages, however, students slept in the part of room left unoccupied by the separate ‘studies’ of two, three, four, or occasionally more numerous occu-
s.

Amusements.

very striking feature of medieval University life (at in English eyes) is the almost total absence of recognized or respectable amusements. The Statutes of College founder or University disciplinarian on such events are often more severe than they are in the repression of crime or vice. It is difficult to find in our records allusion to recognized amusements except some vague notion of playing at ball out of doors, and within doors singing or playing on the lute. But here again we are confronted with the characteristics, not of the universities in particular, but of the age in general. The upper class of feudal society was an essentially military ; its amusements consisted in jousts and tournaments, and hawking. Such recreations were not unreasonably considered too unclerical and too distracting as too expensive for the University student, and

See references in Little, *Greyfriars in Oxford*, p. 35.

1 On the whole of this subject, see the most interesting chapter on ‘The Chambers and Studies’ in Willis and Clark, *Cambridge*, III. pp. 295-307.
were consequently forbidden in medieval Statutes. Co-
tempt of the body was too deeply rooted a sentiment
the religious mind for a pious College founder to recog-
nize the necessity of bodily exercise and a free vent for ani-
mal spirits. Even ‘playing with a ball or a bat’—the near
approach to ‘athletics’ which we encounter—is at time
forbidden among other ‘insolent’ games. A sixteenth
century Statute includes the machinery of tennis or five
among the ‘indecent instruments’ the introduction
which would generate scandal against the College: though
it charitably allows playing with a soft ball in the Colle-
court. Though gambling was not so strong a passi-
ion in the north as in the south of Europe, a good many
Statutes are directed against it even in northern Uni-
versities. The stern College founders forbade games

\[1\] E.g. at Heidelberg: ‘Item quod
nullus capere presumat aviculas, aves
seu feras quaramunque specierum,
seu capcioni illarum interis, sub
pena viues floreni et confiscationis
captarum’ (Stat. of 1453 ap. Hautz,

\[2\] Item quod nullus scolis dimicacium
interesse, seu exercicio eorum dem se
submittere presumat, nec alium ad
docendum vel discendum huysmodi
vanitatem quoquo modo inducat, sub
New College Statutes, p. 48.

\[3\] Ad pilam vel ad cossiam vel ad
alios ludos insultuosos’ Statute of
Narbonne College, 1379. ap. Fé-
libien, V. p. 670.

\[4\] Item, et quia multae quereiae
vicinorum ad aures nostras devenerunt
de insolentis, exclamationibus
et ludis palmaris dictorum scolarum,
qu i ludunt scophis seu pilis duris-
simis ac ferulis reticulis et alis in-
decentibus instrumentis, horisque et
diebus indebitis, in scandalum col-
legii et detrimentum dictorum vic-
norum; ideo ordinamus quod nulli,
 de cetero ludant ad ludum

palmarium, maxime in magna a-
dicti collegii, nisi pilis seu scopi
mollibus et manu, ac cum silentio
absque clamoribus tumultuosis nec
Coll. of Tours, 1540. ap. Felibien
III. pp. 419, 420. It is surpris-
to find the martyr Ridley anticipat-
 the manners of the nineteenth cen-
tury by playing tennis or practical
archery with a pupil. (The pa-
ter was apparently, however, a jun-
ior Fellow.) Strype, Memorials I
P. i., Oxford, 1822, p. 386. I have
come across no allusion to foot-
ball before 1574, when it is for-
bidden at Cambridge, but in 1580 allowed
within the College precincts. \textit{Adulti}
offenders to be flogged
Cooper, Annals, II. pp. 321, 322.
At Oxford in 1584 ‘any minister,
\textit{deacon} convicted of this offence
should be banished and reported to
Bishop, scholars over eighteen
prisoned and fined, those under
eighteen to be flogged in St. Mar-
(Wood, Annals, II. 300.) For a
ball on Bullingdon Green in 1608
Twyne, MSS. XXI. p. 85.
and playing for money altogether: the more contented themselves with limiting the stakes to or drinkables and confining the games to festivals. is a pastime which might seem severe enough to Chess. ate the most morose disciplinarian, but it seems to enjoyed a curiously bad reputation with the medieval st, and is forbidden by many academical legislators. eidelberg, for instance, visits to the public chess are forbidden ‘especially on legible days’: at New c the stern Bishop of Winchester includes chess ; the ‘noxious, inordinate, and unhonest games’ are forbidden to his Scholars.

College Statutes are not unnaturally full of prohibitions against musical or other noises calculated to disnupe studies of others. Some few German Statutes ascend so far to human infirmity as to permit at table hours musical instruments, ‘provided they are al.’ As to the keeping of dogs, hawks, ferrets, Dogs, than beasts or birds, the practice was viewed by the Lege disciplinarian with a traditional horror which (as is dogs) still lingers in the breasts of the Deans and

Narbonne all playing for is forbidden ‘unless some- \quad \text{(Felibien, 170.) At Corouaille (1380) at ‘dice or tables’ is allowed or the recreation of some sick in the house or out of it ivals, and for the sake of and for some moderate co- or potable’ (III. p. 502).} \quad \text{part of justice might find the difficult to interpret: there ther reservation in favour of tasis and SS. Nicolas, Cathe- and Corentinus.}

w College Statutes, p. 48: \quad \text{Heidelberg, II. p. 394. At}

\text{the legislator is more indulgent towards private games: ‘Illos etiam a quibuscumque ludis taxillorum et chartarum [Tutores] prohbianit, permettendo tamen diebus et horia opportunis ludos vir- tuosos in domo vel locis privatvs et non publicis . . . sicut ad scaccos, ad pilum aut consimiles, absque tamen exessivo labore aut immoderata frequentia’ (Ordinance of Charles the Bold, Duke of Brabant, in 1476; Molanus, II. p. 940).}

\text{‘Quod nullus ludat in domo cum cythara vel choro vel aliis instrumentis sonoris, per quod possent dieti scholares alqualiter molestari’ (Felibien, III. p. 357).}

\text{‘Nec etiam teneant bestias vel aves immundas vel alias nocivas’ (Felibien, III. p. 386).}
Ch. XIV. Porters of Oxford and Cambridge. As the grim sixteenth century is reached, the prohibitions against all 'profane games, immodest runnings, and horrid shoutings,' become increasingly sweeping. The institution of a sort of public University ball for the express purpose, it would seem, of introducing the students to the 'most honourable and elegant daughters of magnates, senators, and citizens,' deserves to be mentioned as a rather exceptional peculiarity of sixteenth-century Leipsic. Much more frequently we encounter stern denunciations of dancing in any form whatever. But we may infer that the amusement was a favourite one with the students from the fact that, even in a College jealously guarded against female intrusion, William of Wykham found it necessary for the protection of the sculpture in the Chapel reredos to make a Statute against dancing or jumping in the Chapel or adjoining Hall. His language is suggestive of that untranslatable amusement now known as 'ragging,' which has no doubt formed a large part of the relaxation of students—at least of English students—in all ages. At the same College there is a comprehensive prohibition of all 'struggling, chorus-singing, dancing, leaping, singing, shouting, tumult and inordinate noise, pouring forth of water, beer, and all other liquids and tumultuous games' in the Hall, on the ground that they were likely to disturb

1 Item placet, quod nullus scholasticorum intra vel prope collegium exerceat quoscunque ludos prophanos aut discursus immodestos seu boatus edat harrassiones, studiosorum interurbando negotia . . . sub poena septem grossorum' (Stat. of Collegium minus at Leipsic ap Zarncke, Statutenbücher, p. 240).

2 'Ut in publico prudentissimi senatus theatro doctores, nobiles, magistri, studiosi iuuenes cum honestissimis et lepiddissimis magnatum, senatorum et civium filiabus choreas ductarent' Zarncke, Acta Redorum, p. 34. On the other hand, at Bale, in 1460, an agreement between the town and the University provides 'quod studentes per Rectores Burbarum et alios inducantur ut nec chorisent in choreis civium publice nisi ad illas specialiter fuerint invitati' (Vischer, pp. 305, 307). Since at Avignon dancing is forbidden 'salvis choreis publicis que fierent in festis de universitate' (Leg. universitatis, suppositorum' (A.D. 1441) (Fournier, II. No. 1334).

3 Statutes, p. 103. In Chancer (Can. Taller, l. 3329) a scholar dances 'After the sole of Oxenforthe tho.'
the occupants of the Chaplain’s chamber below. A moderate indulgence in some of the more harmless of these pastimes in other places seems to be permitted.

The ideal student of the Middle Ages probably amused himself little or not at all. The only relaxation which the University system really provided for was the frequent interruption of the regular routine for the whole or part of a day in honour of the greater Holidays of the Church, or of the Festivals of the Patrons of a particular Nation, or Province, or Faculty. For the Faculty of Arts the great days were the Feasts of S. Scholastica and S. Nicholas. Some Statutes contain severe prohibition of Carnival-tide licence, but in Scotland two or three days’ holiday was expressly allowed for cock-fighting at this season. In all medieval Universities—but especially at Paris—the student enjoyed an abundance of what may be called ecclesiastical dissipation. For the Masters at Paris there were national Vespers and a national Mass once a week, as well as on many Festivals. These functions were followed by a distribution of money or a dinner at the expense of the Nation. For Masters and scholars alike there were frequent processions, University Masses, and University Sermons, which at least afforded a welcome

---

1 E.g. at S. Andrews: MS. Acta Fac. Aritium, f. 3 b. The Statute forbids the spending of a fortnight or three weeks ‘in procuratione gallorum.’

2 The Vespers on Friday, the Mass on Saturday. This usage was still kept up in the time of Goulet (viii b). At Oxford such entertainments appear to have been less frequent. But we find an annual item in the Proctors’ accounts, ‘Pro distribucioneienda inter Regentes,’ amounting (at the end of the fifteenth century) to £3 18s. 4d. Two great Holidays were celebrated on the Vigils of S. John the Baptist and of S. Peter, in connexion with which we find such items as the following: ‘Item solutum in Vigiliis sancti Ioannis Baptiste et sancti Petri in recreacione omnium graduatorum ex consuetudine laudabili ut placet iudicibus [i.e. the auditors, who had reduced the Proctors’ claim]... vii. xiiis. iiiid. Item pro cirpis consumptis in dictis vigiliis et certis reparacionibus factis in locis ubi tenebantur dicte Recreaciones... iiiis. Item, pro consumpцииe luminum in eisdem noctibus et in obitibus dominorum Ioannis et Thome Kempe, duces Glocestrie et Episcopi Lincolnensis... xvis.’ (Accounts for 1494 in Archives, W. P-Y 98).
relief from morning lecture. The afternoons of Holiday supplied the chief opportunity for country walks or recreation in the Pré-aux-clercs. In the German Universities we find, however, a growing tendency to abridge even this scant liberty by providing afternoon lectures on Festivals. Mathematics are sometimes introduced a light study specially appropriate for such times. It be alleged that half-holidays were usually spent in the taverns. In the evenings of Festivals even the sternest of College disciplinarians relaxed so far as to allow story-telling, carol-singing, or the reading of poems, chronicles of the realm, or wonders of the world round the fire in College Hall. This was probably regarded as a harmless substitute for the entertainments of strolling jesters, actors or mountebanks largely patronized by the students when free from collegiate restraints. Only on Twelfth Night were mummers allowed within the sacred precincts of the College.

By some Universities we find even Sunday utilized for lectures or disputations, and there are traces of the same institution in the early days of the Italian Law-schools.

1 A Statute at Ingolstadt restrains what would appear to have been harmless country excursions: 'Recitatis temporibus nimium frequentaret coeperint exitus cumulatos ad loca nemorosa, quos exitus appellant fontonia;' henceforth they were only allowed 'semel in canicularibus...exire cum Decani licentia' (Prantl, I. pp. 113, 114).

2 At Leipsic: Zarncke, Statuta böcher, p. 339. So at Nantes (11), there are Ethics lectures on Sundays, as well as other Festivals: Fourcroy, III. No. 1595. We find 'questiones dominicae' among the works of Roffredus Sarti, 1888. I. p. 183. The Statutes of Salamanca for 'repetitiones' on Sundays: De Arcehiv, V. p. 183. In modern Italian Universities, examinations are continued on Sundays. For an On Congregation on Sunday, see Francisc. I. p. 347. I have met a bulky treatise by a med. Canonist in support of the thesis study on Sundays was permissible except when pursued for gain.
his would appear to have been the exception rather than the rule. In general, the Sunday was free for work and rest, and seems to have been rarely abused by the gay or disturbances so common on other Festivals. Plays. comedies which began to be acted in the Halls of Colleges towards the end of the fifteenth century formed the only amusement of an intellectual character relieved the stern monotony of academic life. But are not heard of till the first breath of the Renaissance spirit had reached even Paris and Oxford: these lies represent the first contact of the stream of a-culture with the now fuller and more vigorous stream of popular literature, and exercised an important influence over the development of the modern drama in France and England. It is needless to say that the innovation was looked upon with considerable disapproval, though not altogether prohibited, by the University disciplinarians.

unless in the Universities and out of them the asceticism of the medieval ideal provoked and fostered the wildest excess in actual life. If we want to realize what were the probable amusements of the un-ideal student we must play the things which laws and Statutes prohibit rather than those which they permit. For the bolder spirits there were sporting excursions into the country. Poaching Poaching: King's forests at Shotover or Woodstock was a favorite pastime of the Oxford scholar. The University of S. Andrews with unwonted liberality actually allowed its students to go a-hawking, provided they went in their own clothes and not in 'dissolute habiliments red from lay cavaliers.' On the roads round the

---

\[ a \] Statute of the City of London in 1389 the Sapientes Studii elect Doctors to lecture on other Festivals. Giorlale Re. arsica, VI. pp. 315.

\[ b \] at Paris, it was ordered that the Principal should 'visit' comedies performed in his Hall. Bulsæus, I. p. 785.

\[ c \] Rot. Pat. 15 Hen. III. m. 9; Rot. Claus. 1 Hen. V. m. 29 dorso (Hare, Mem. 111); Macray, Reg. of Magd. I. 44.

\[ d \] MS. Acta Facultatis Artium, f. 15g.
University towns were even to be met parties of scholars—many of them expelled or banished for previous transgressions—who had turned highwaymen and now waylaid the more peaceful student approaching the University with his purse equipped for a nine months' residence. The proportion of idle men was perhaps not larger than in most modern Universities, but for the idle, as for the average student in his lighter moods, there were hardly any amusements except drinking, gambling, and singing at taverns, roaming the streets in large gangs under a Captain or otherwise, singing, shouting, dancing, throwing stones, breaking doors or heads, and fighting or quarrelling with townsmen or students of a hostile Nation. Various forms of practical joking of the more violent order enjoyed a high degree of popularity. Among the Archives of the University of Leipsic is a 'libellus formularis' or collection of forms for Rectorial proclamations against the various kinds of disorder which were wont to break out periodically in a medieval University like the recurrent epidemics of pea-shooting, catapulting, and the like at a modern school. Among these is a form of proclamation against destroying trees and crops in the adjoining country, against 'wandering with arms after the town-hall bell,' against throwing water out of window upon passers-by, against wandering at night and beating the watch, against 'horrible shoutings and noisy and unwonted songs,' against wearing disguises, masks, and 'rustic garments' at Carnival-tide, against interfering with the hangman (suspensor) in the execution of his duty, against disturbing the Inception banquets or 'Aristotle's feasts,' against attending exhibitions of tilting, wrestling, boxing, and the like, against 'insolences' or practical jokes in general.

1 Rot. Pat. 15 Ed. III. Pt. iii. m. 8 (Hare, f. 68 a); Rot. Parl. 9 Hen. V. cap. 14. Vol. IV. p. 131.
2 A Statute of Vienna Kink. II. p. 76) is directed against 'Scholares brigosi, luxuriosi, ebriosi, disculi, noctiugis cum instrumentis musicae et alias osciosi lenocinantes, fasces et precipue Clivium offensorum, multorum lusores ... et remano osiorum fractores.'
3 Statutenbücher, pp. 108-119.
The date of this document is as late as 1495. These were the milder effervescences of medieval spirits at a period when the student had been already reduced to a semi-civilized condition. What his wilder outbursts of fun and frolic had been in the earlier days of unrestrained student-liberty, the reader will already have gathered from some of the Town and Gown narratives which have already been set before him. It may be well however to give a few further illustrations of the kind of violence of which the medieval scholar was alternately the victim and the perpetrator. It is necessary that we should realize vividly what the treatment was against which the medieval scholar—and indeed the medieval clergyman of all grades—sought to be protected by his outrageous privileges, and on the other hand how much excuse there was for the bitterness and fury with which these privileges were opposed and resisted by the lay population. It is perhaps something more than an accident that the instances of lay oppression will be chiefly drawn from the history of Paris, and the illustrations of clerkly violence from the annals of Oxford and other towns wherein the clerkly element bore a larger proportion to the whole population.

The wilder side of University life.

The boundaries of the City of Paris had been extended by Philip Augustus so as to include the suburb south of the river. The western portion of this transpontine region formed the students' quarter, in which were situated most of the buildings used by the University and of the Colleges and Hostels inhabited by the scholars. This *quartier latin*¹ (as it came to be called) extended from the Cathedral of Notre Dame on the Island *cité* to the western wall near the site now occupied by the Palace of the Institute. Medieval Paris, like medieval London, was surrounded by

¹ Denifle has made it clear that the term was originally applied only to the Island, but was gradually extended to the southern bank as the students deserted the former for the latter. See above, Vol. I. p. 279 sq.
Ch. XIV. a belt of Monasteries, whose Abbots exercised a feudal jurisdiction over the districts surrounding their Churches. Just outside the city wall, to the west of the students' quarter stood the great Abbey of S. Germain. Outside the Abbey walls was an open meadow or waste ground which had from time immemorial been the promenade of the elder and the playground of the younger students. When the University had assumed the form of a definite corporation, that body or rather its Faculty of Arts claimed the Pré-aux-clers as its freehold property. The property, or at least the free use of it, was recognized as belonging to the University by the Statutes of the Cardinal Legate de Courçon in 1215. The Monks, however, contended that the property had anciently been theirs and had been unlawfully alienated by one of the secular Abbots in the ages of confusion; and the decision of the Legate appears to have left at all events a boundary dispute between the Abbey and the University unsettled. The unfortunate scholars were in consequence exposed to much annoyance, and at times to violent and organized attacks from the Monks and their retainers.

The first recorded outrage of this description occurred in 1278. At the morrow of the Translation of S. Nicholas, the patron Saint of scholars, the fields were crowded with the clerks, when the Abbey bell was heard summoning the tenants and servants of the Abbot and Convent. By order of their black-robed Masters an armed guard took possession of the three city gates which opened on to the Pré, so as to cut off the retreat of the scholars, while to the sound of horns and trumpets and with shouts of 'death to the clerks' the Convent and its retainers, headed by their Provost, sallied forth upon the unarmed and defenceless boys and Masters, and fell upon them with bow and arrow, club, sword, or iron-tipped stave. Many were badly wounded, some mortally, but they were nevertheless dragged off to the 'horrible dungeons' of the Abbey. Those who fled (a Doctor of Divinity and a Doctor of Medicine were among the number) were pursued far and wide over the country.
It is significant of the lawlessness of the times that the ordinary course of justice seems to have been quite incapable of reaching russianism of this kind when committed by such offenders as the Abbot and Convent of S. Germain. The Abbey claimed the 'justice' of the Pré: and was exempt from all episcopal or metropolitical jurisdiction. The University had no resource but to lay their complaint before the King and the Papal Legate, and to threaten a 'cessation' if redress were not granted within fifteen days. The Abbot and the Provost were deprived of their offices, but the penalties imposed were, as usual in such cases, mainly corporate. The Monks were required to found and endow two Chaplaincies, one in the Church of S. Catherina de Valle Scholarium, the other in the Chapel of S. Martinus de Ordeis close to the walls of the Abbey, with annual stipends of £20. At these Chapels mass was to be said for the benefit of scholars 'before play-time'. These Chaplaincies were to be in the gift of the University, and formed the nucleus of the considerable patronage (chiefly in Paris) eventually acquired by the University. The brutality of the Monks was not, however, by any means effectively repressed by this humiliation. They were especially sensitive about the claim to fish in the city moat which divided the Abbey grounds from the domain of the University. In 1318 it was necessary to procure a papal Bull empowering the Bishops of Soissons and Noyon to investigate and punish an outrage upon some Priests and other clerks who were enjoying this favourite amusement.

1 'Ante ludum.'

2 This account is taken from the ex parte statement of the University Bullæus, III. p. 453 sq.; Chartul. I. pt. i. No. 480; but the retribution which was meted out to so powerful a Convent (Bullæus, III. p. 454; Chartul. T. I. pt. i. Nos. 482, 484, 524; T. II. No. 537 &c.) is sufficient to show that the Monks cannot have had much to say for themselves. Very characteristic of the time, however, is the ample revenue assigned to the deposed Abbot, who is rather praised for his readiness to resign than denounced for an offence which would now get him ten or twenty years' imprisonment or penal servitude in any civilized European country.

3 Bullæus, IV. p. 175; Chartul. T. II. No. 769. There was, however,
In 1304 the Provost of Paris hanged a scholar gibbeted his body in flagrant contempt of the privileges of the University, and (as we are assured by a contemporary historian) unjustly to boot. A cessation of lectures compelled the King to punish the Provost. The offender was required, besides suing for absolution at Avignon, to found two Chaplaincies and present the advowson to the offending corporation. In addition to this substantial penalty, wounded honour of the clerks was appeased by two most characteristically medieval impositions. The Provost was compelled to cut down the corpse, which had been hanged on the gibbet for some months, and kiss it; while all the clergy of Paris were solemnly convened by the Official to see being vacant) to march in procession with their respective flocks, each with cross and holy water, to the house of the offending magistrate, and there throw stones against it and utter a solemn exorcism or imprecation against the devil who was supposed to inhabit the building.

Another celebrated outrage on scholars occurred in 1401. The University was now at the height of its power, and the penalties which befell its oppressor were in consequence much subsequent litigation between the Convent and the University. In 1345 the Convent ceded to the University the patronage of two Churches in Paris—S. Andrew de Arcibus and SS. Cosmas and Damian—in consideration of the University giving up their claims on a piece of adjoining land. A significant clause provides that the Abbey may build 'muros simplices... sine quernellio et fortalittis alis a simplici muro, per quae Scholares possent laedii.' Moreover, a door leading from the Abbey grounds on to the Pré, through which, no doubt, the armed sallies had been made, was to remain for ever walled up (Bueus, IV. p. 287).

Among the property bought in 1348 by the University as an endowment for one of the Chaplaincies of S. Andrew's Church, we find: 'Item tam homines quam mulieres servitutis in conditionis ad voluntatem talliabili et justiciabili auque major, medias, et bassas' (Bueus, IV. p. 293).

'Recede Recede, maledicta Sathanæ, recognosce nequitiam tuam dans honorum S. Matri Ecclesiam quam quantum in te est, dehonestæ ac etiam in suis libertatibus voluntate rusti,' &c. (Buleus, IV. 73). It is quite clear whether the Provost was considered to be possessed, or whether the 'Sathanæ' meant to be a mere term of chivalric abuse. A similar penalty was imposed for a similar offence upon a later Provost in 1407, but apparently not carried out (Buleus, I. 146; Rel. de S. Denys, III. 706). In this case the scholar had admitted to having committed highway robbery.
still more exemplary. A University procession was on its way to the Church of S. Catherine, the patroness of scholars, to intercede for the peace of the Church and realm and the health of the King. A party of pages and others in the service of the King's Chamberlain, Charles of Savoisy, on their way towards the Seine to water their horses, met the procession, and, instead of waiting for it to pass, rode in among the scholars. A riot took place in which stones were thrown and some of the boys got trampled on by the horses of their assailants. Savoisy's retainers were not, however, satisfied with the results of the unpremeditated fray; but, retiring to their master's Hotel, procured bows and arrows and other weapons, with which they made a deliberate and still more murderous onslaught upon the scholars, pursuing some of them into a neighbouring Church where Mass was being celebrated. A crowd of indignant clerks, headed by the Rector, proceeded at once to the King, and threatened to leave Paris in a body if justice were not done. The ampest satisfaction was promised: but a suspension of lectures and sermons for six weeks was necessary before it was obtained. Eventually, the master of the truculent household was sentenced to pay a fine of 1000 livres to the victims, another 1000 to the University, and to create a rent-charge of the annual value of 100 livres for the endowment of five Chaplaincies which were to be in the gift of the University and to be held by Masters. Finally, the Chamberlain was dismissed from all his employments, banished from Court, and his Hotel ordered to be rased to the ground. The latter part of the sentence, we are told by the official record of the proceedings in Parliament, was executed by a great number of the triumphant scholars 'promptly and almost before it was pronounced.' Formal evidence having been given that Savoisy was a clerk, he was exempted from making 'amende honorable'1 in person, but three of his servants (who were apparently the actual

1 'Multa in famem, seu, ut vocant, honorabilem.'
offenders) were ordered to go as penitents to three churches clad in their shirts only, and there carrying lighted tapers in their hand to be publicly flogged on behalf of their master.

Another often-quoted illustration of academical morals in the thirteenth century is the Proclamation of the Official of Paris in 1269 in which he denounces a class of scholars, or pretended scholars, who ‘by day and night atrociously wound and slay many, carry off women, ravish virgins, break into houses,’ and commit ‘over and over again robberies and many other enormities hateful to God.’ Such were the kind of crimes in which the clerical tenure enabled the Parisian scholar to indulge without the smallest fear of the summary execution which would have been the fate of an apprentice or a ‘sturdy beggar’ who essayed such pranks. As a means of preventing such outrages in future the Official has nothing more denterent to hold over the offender’s head than the ineffectual threat of excommuni-

If we turn to Oxford, perhaps the best evidence which comes to our hand is contained in the records of Coroner’s Inquests. Over and over again occurs the dismal record.

‘Such and such jurors on their oaths present that M or N. clerk, killed A or B, citizen or clerk (as the case might be—to do him justice it was nearly as often a brother-clerk as a citizen), with a sword or a pole-axe or a knife or an arrow; that he has fled and that there are no goods left which can be distrained upon.’ Rarely is the entry varied by the statement that the accused was obliged to take sanctuary, and after so many days abjured the realm. In those rare cases the culprit might be put to the inconvenience of continuing his studies abroad. In the majority of cases

---

1 Buloeus, V. 95–109. The Rel. de S. Denys (III. 186 sq.) makes the destruction a more formal proceeding, carried out by the King’s carpenters marching in processio ‘cum lituis et instrumentis musiciis.’


3 See Twyne, MSS. XXIII p. 154 &c.; Rogers, Oxford City Doc. p 150 sq.
nothing worse happened to them than being compelled to go to Cambridge.

Another illustration may be drawn from the annals of Orleans. In the year 1387, Jean Rion, a citizen of Orleans, employed two ruffians to waylay a Bachelor of the Civil Law named Guillaume Entrant. Catching him on horseback outside the town, they threw him from his horse, and were only prevented from killing him by the arrival of timely succour. On another occasion they were more successful, wounded him 'atrociouly and inhumanly in the head and other parts of the body,' cut off a finger and left an arm hanging by 'a slender strip of skin' (pellicula). Finally they 'tyrannically' pulled out an eye, and left him for dead. Summoned before the Parlament of Paris, Rion pleaded that the scholar had seduced his wife, and continued the intrigue after having been forgiven and having solemnly pledged himself to abandon it. The fact was notorious and was not denied. The enormous damages claimed by the victim were considerably reduced by the Court. Nevertheless, Rion was condemned to pay 300 livres tournois by way of compensation. a fine of 100, and to make 'amende honourable' to the Court, the plaintiff, and the proctor for the University on bended knee and clad only in his shirt. The sentence led to a general outburst of rage and indignation against the scholars. Another scholar was beaten and mutilated 'so that he is expected to die rather than live.' At last there was a regular raid on the scholars 'to the ringing of bells and the sound of trumpets.' Houses were broken open, and scholars dragged out to the town prison. The citizens threatened that all the scholars should die. Nevertheless they do not appear to have done much in execution of their threats beyond beating a scholar's servant and pillaging a house. The scholars, however, fled the town en masse. The Captain of the City Guard rode through the suburbs with his men, shouting 'death to the scholars.' One noble youth was so frightened as to hide in a sewer 'for a long time.' The offenders—chiefly, it would seem, Royal officials—were condemned to do
Ch XIV.

penance and make ‘amende honorable’ to the University in the usual way, and to a fine, part of which was to be expended on a picture representing the offenders on their knees before the Rector and other scholars ¹.

Yet another story from Toulouse. In the year 1332, five brothers of the noble family de la Penne lived together in a Hospicium at Toulouse as students of the Civil and Canon Law. One of them was Provost of a Monastery, another Archdeacon of Albi, another an Archpriest, another Canon of Toledo. A bastard son of their father, named Peter, lived with them as squire to the Canon. On Easter Day, Peter, with another squire of the household named Aimery Béranger and other students, having dined at a tavern, were dancing with women, singing, shouting, and beating ‘metallic vessels and iron culinary instruments’ in the street before their masters’ house. The Provost and the Archpriest were sympathetically watching the jovial scene from a window, until it was disturbed by the appearance of a Capitoul and his officers, who summoned some of the party to surrender the prohibited arms which they were wearing. ‘Ben Senhor, non fassat’ was the impudent reply. The Capitoul attempted to arrest one of the offenders: whereupon the ecclesiastical party made a combined attack upon the official. Aimery Béranger struck him in the face with a poignard, cutting off his nose and part of his chin and lips, and knocking out or breaking no less than eleven teeth. The surgeons deposed that if he recovered (he eventually did recover) he would never be able to speak intelligibly. One of the watch was killed outright by Peter de la Penne. That night the murderer slept, just as if nothing had happened, in the house of his ecclesiastical masters. The whole household, masters and servants alike, were, however, surprised by the other Capitouls and a crowd of 200 citizens and led off to prison, and the house is alleged to have been pillaged. The Archbishop’s Official demanded their surrender. In the case of the superior

ecclesiastics, this after a short delay was granted. But Aimery, who dressed like a layman in 'divided and striped clothes' and wore a long beard, they refused to treat as a clerk, though it was afterwards alleged that the tonsure was plainly discernible upon his head until it was shaved by order of the Capitouls. Aimery was put to the torture, admitted his crime, and was sentenced to death. The sentence was carried out by hanging, after he had had his hand cut off on the scene of the crime, and been dragged by horses to the place of execution. The Capitouls were then excommunicated by the Official, and the ecclesiastical side of the quarrel was eventually transferred to the Roman Court. Before the Parlement of Paris the University complained of the violation of the Royal privilege exempting scholars' servants from the ordinary tribunals. The Capitouls were imprisoned, and after a long litigation sentenced to pay enormous damages to the ruffian's family and erect a chapel for the good of his soul. The city was condemned for a time to the forfeiture of all its privileges. The body was cut down from the gibbet on which it had been hanging for three years, and accorded a solemn funeral. Four Capitouls bore the pall, and all fathers of families were required to walk in the procession. When they came to the Schools, the citizens solemnly begged pardon of the University, and the cortège was joined by 3,000 scholars. Finally, it cost the city 15,000 livres tournois or more to regain their civic privileges.

It must be remembered that the violent scenes which characterize medieval life in general. It is, however, not so much the frequency of violence which distinguishes medieval society from modern as the status and position of the persons who abused, insulted, challenged, and fought each other like 'roughs' or small boys at school. At the present day, party feeling sometimes runs high, but we do not hear

1 All the documents are printed by Fournier. I. Nos. 563-589.
of an ex-Mayor of Cambridge wishing to fight the Chancellor. Scenes of disorder occur in modern Universities, but the Rectors and Professors, Heads and Tutors take no part in them. Sometimes, too, violence of this kind was not merely the act of isolated individuals, however eminent, but the concerted resolution of grave Assemblies. We have seen how at Oxford the bell of S. Mary’s was wont to summon the gownsmen to do battle with the town when the bell of S. Martin’s was set going by the Mayor. At Paris we find the Norman Nation taking a solemn vote in Congregation as to the propriety of an attack upon another Nation. The attack was voted, with the result that one was killed and another mutilated.’ Our knowledge of the fact comes to us from a ‘dispensation from irregularity’ granted to a clergyman, afterwards beneficed, who had voted for what is justly described as ‘the war.’ It must, however, remain doubtful whether the ‘Congregation’ described was a Congregation of Masters or of students—possibly the latter.

Drinking Customs.

The violence of medieval University life was almost equalled by its bibulosity. Even the staunchest teetotaller might well accord a certain toleration to drinking habits in a community which knew not tea, coffee, or tobacco, and in which life, unbrightened by wine or beer, must have been almost intolerably tedious. In this respect it is true that it is but recently that our English Uni-
DRINKING CUSTOMS.

cities have begun to throw off their medieval traditions: CH. XIV.

e are Universities in which it reigns still. But there can
no better illustration of the nonsense commonly talked
at the moralizing and elevating effects—I will not say of
 fruition—but of mere instruction than the annals of the
medieval Schools. The average medieval scholar was much
more instructed, much more cultivated (in so far as purely
lectual training communicates culture) than the mass
of the working class can ever be on leaving school. Yet his
s, his manners and moral tone generally were in many
s no better than those of the roughest and most un-
ized classes of modern society. From an evening tour
ugh some of the worst dens and alleys of Seven Dials
Ratcliffe Highway, before the institution of the Mec-
tropolitan Police, there might have been gathered some faint
ception of what life in a medieval University town must
t been like, say at the end of the thirteenth century.

o return to the subject of drinking-customs—no im-
portant events of life could be got through without drinking.
I have already spoken of the mode of celebrating
and advents, Determinations and Inceptions; and
y of the minor steps in the career of a University man
celebrated by feasts and drinking-parties given by the
essful and elated candidate. And it was not only after
iversity exercise but during its progress that the need
ishment was apt to be felt. Wine was provided for
distinguished visitors to the Schools at Determina-
y Statutes allude—some by way of prohibition, but
always—to the custom of providing refreshment of the
e kind for the Examiners by the Examinees, whether
re, during, or after an Examination.

Thus by a Statute of Ingolstadt
is to be no drinking at the
ellar’s house after the Ex-
tion, but it was provided ‘ut
hundus iam de recipienda li-
t certificate det de vino ytalico
ecibus doctoribus . . . et sociis
ntibus ad congratulandum ei in

1 Buleus, IV. 301. Thus at Heidel-
berg, ‘examinandi . . . ipsis tempta-
toribus nichil cibi aut potus ad
locum examinis sive temptationis
portent.’ But the Examiners could

loco ameno [1 under the trees in
front of the suburban wineshop] vel
in domo sua.’ (Prantl, II. p. 66).

2 Buleus, IV. 301.
objects for which the Nations existed at Paris was the celebration of 'Feasts,' which began with a solemn Mass and was concluded with a banquet in a neighbouring tavern; from time to time it was long the regular custom of the Nations to consume their surplus revenue by a carouse at the tavern. The fee of the prelate who celebrated on such occasions was paid by a present of wine. The Statutes of many German Universities forbid the Rector to give 'propinaciones' at the expense of the University without its consent. A newly elected officer was required to entertain his constituents with 'spiced wine.'

Oaths.

Another characteristic feature of medieval life, vividly illustrated by the history of the Universities, is the inordinate multiplication of oaths. The tremendous penalties involved by perjury supplied so convenient a sanction for all kinds of rules and regulations that their aid was invoked on the most trifling occasions. Modern common-sense would naturally suggest that, when attendance at lectures was required, such attendance should be secured by calling over the names; in the Middle Ages the natural thing seemed to be to compel the supplicant for a degree to swear that he had attended the lectures. When a regulation was made, it was almost the invariable practice to require the persons affected to swear that they would observe it or that they had observed it. The candidate not do without refreshment: 'Sei- licet ipse pro tempore decanus de facultatis pecuniis potum dare debet prefatis temptatoribus.' Hauss, Gesch. d. Univ. Heid. II p. 353. So at Leipsic the candidate is forbidden to treat »facere propinam« the Examiners before the examination Zarncke, Statutenbuecher, p. 362. But here again they were required to spend their fees as Examiners in 'prandia,' 'balneum intrando' ib. p. 363. So at Ingolstadt, while bribes are forbidden, the Examiners are to receive a knife from each successful candidate in addition to the gloves presented to the rest of the Faculty Prantl. II. 115. In the medical examinations at Vienna each candidate was required to spend a florin 'pro confectionibus' Kink. II p. 163.'

1 The custom was abolished by the English Nation in this year Balma IV. 674). Cf. Chartul. Aust. I. c 363.
n Examination had to swear that he would not offer to be to the Examiner; the Examiner had to swear that could not receive one. The candidate had moreover some Universities to swear not to wreak his vengeance knife or dagger upon a 'ploughing' Examiner. The privity of every officer was enforced by an oath of obe-

ce. The graduate was sworn in detail not to do all the things that previous University legislation forbidden. College servants, like the retainers of households, were sworn to obey their masters. In

er University legislation nearly every prohibition was under penalty of excommunication or at least of ring the guilt of perjury. It is instructive to observe

ter statutes and ordinances a growing disposition to substitute written certificates for corporal oaths, and pecu-

penalties for spiritual terrors. It was found that prac-
y a fine of half a crown was more deterrent than the tremendous denunciations of posthumous vengeance, or spiritual penalties in this life which depended for their cement upon the scrupulosity of the penitent and the mercy of the Penitentiary or the Confessor.

We need not go back to medieval history to illustrate the fact that an unwavering acquiescence in the reality, supernatural terrors may at times exercise but little terrors effect upon the ordinary life of believers. It is in the hour of death that such terrors really appeal to imagination of the worst men: and in youth and health do not think they are going to die. Yet the close juxtaposition of superstition and the grossest irreverence is her startling feature of medieval student-life. When we

\[ \text{is at Leipsic. Zarnecke, } \textit{Stat.-} \]

\[ \text{b. of the Coll. de Plessis, } \textit{III} \text{ p. 387.} \]

\[ \text{ate Paduan Statute runs as } \]

\[ \text{Primo ne tota universitas supcreat ac deinceps scholares attaque falsarii et infames situr, statuitur quod ubiuncque} \]

\[ \text{inventur poena periuiri in statutis, loco periuiri ponatur poena quinque librorum et privationis uocis per annum' } \textit{Stat. Arch. Archad. Patav.} \]

\[ \text{f. xxxii.} \]

\[ \text{An Oxford Statute of } 1432 \text{ speaks of 'poena pecuniaria his diebus, ceteris plus timorosa' } \textit{Mun. Acad.} \text{ p. 305.}, \text{ with reference to the futility of excommunication.} \]
are shocked at some of the secular things that medievals did in churches which were supposed to be in the most material sense the dwelling-place of Deity, the superstition may sometimes perhaps be with us as much as with them. But it is strange to find that it should have been necessary for William of Wykeham to forbid dancing in his College Chapel¹. And it is difficult to believe that, in the century which witnessed the final triumph of the dogma of transubstantiation, it should have been necessary to denounce excommunication against students who played dice upon the very altars of Notre Dame de Paris by way of giving a finish to the dancing and singing processions in the public streets with which the Feast of a Nation used to be celebrated ².

State of Morality.

A still darker side of medieval University life must be glanced at if the reader is to be presented with a faithful picture of things as they were. The locus classicus, as it may be called, on the subject of student immorality in the Middle Ages is a passage of Jacques de Vitry. Often as it has been quoted, it may be well to reproduce it once more in the original language:—

¹ Tunc autem amplius in clero, quam in alio populo, dissoluta, tanta capra scabiosa et ovis morbita, permitteri exemplum multos hospites undique ad eum affluentes, corrumpbat; habitatores suos deorum, et secum in profundum demergens. Simplicem fornicationem nullum peccatum repubabant; meretriciae publice ubique per vicos et plateas ciuitatis passae ad lupanaria sua clericos transuentes quasi per violentiam pertrahebant. Quod si forte ingredi recusaret, confessim eos sodomitas post ipso clamantes dicebant. Illud enim foedum et abominabile vitum adeo custodem, quasi lepra incurabilis et venenous insanabile, occupauerat, quod honorificentum repubabant, si quis publice tenebat unam vel plures concubinatos. In una autem et cadem domo schole erant superius, prostituta inferius. In parte superiores magistri legabant, in inferior meretriciae officia turpitudines exercerabant. Ex una parte meretricies inter se, et cum lenonibus liabant, ex alia parte disputantes et contentiose agentes clericis proclamabant.

² Non solum autem ratione diversarum sectarum, vel occasione dicussionum sibi immicem adversantes contradicebant; sed pro diversitate of the time that the offence is aggravated by being described as sine nota hereticæ pravitatis.
Before drawing too sweeping inferences from this passage, some deductions must be made. Jacques de Vitry was a mystic, a monk, and a preacher of an impassioned, not to say fanatical type. He habitually paints the morals of his age in the darkest colours. It must, moreover, be observed that there were special circumstances which account for some of the most revolting features in the picture. In the early years of the thirteenth century the Schools were confined by the action of the caputal authorities to the densely-crowded streets of the Island round Notre Dame. The habitation of the sons of the prophets, as the Masters themselves proclaimed, was too narrow for them. When the Quartier Latin had enlarged its borders and the *vicus stramineus* had become the centre of academic Paris, we may believe that quite such open violations of external decency could hardly have been the rule. But there is, unfortunately, only too much evidence that de Vitry’s picture of the scholastic life of his age, if exaggerated, is not fundamentally untruthful. In this respect, as in others, it is probable, however, that a considerable improvement was effected by the stricter discipline of the Colleges and Halls towards the close of our period.

---

1 *Hist. Occidentalis*, Duaci, 1596, pp. 277-279. Perhaps the fact that a Master *collegiatus* should boldly complain to the Faculty against a Bachelor for assaulting his ‘focaria’ *Mon. Univ. Prag.* III. p. 79) will illustrate the prevalent low standard in such matters as well as any more highly coloured denunciation. This was in 1499.


Ch. XIV.

Intellectual Enthusiasm.

The character of any age, any country, any class may no doubt be made to look very black indeed by the historian who does nothing but summarize its vices. But where are we to turn for materials to aid us in reproducing the brighter side of University life in the Middle Ages? The nobler deeds of active life may at times find their "vates sacer": the life of the virtuous student has no annals. If we want to appreciate the nobler side of medieval scholastic life, we must contemplate the enormous intellectual enthusiasm which characterized its best period. The monastic ideal had consecrated study so long only as it moved in a very narrow groove. Secular knowledge was in the strictest sense the mere handmaid or rather the mere bondsslave of Theology: and Theology meant simply the interpretation of the text of Scripture and the authoritative dicta of Fathers or Church. The intellectual revolution of the twelfth and thirteenth centuries threw open to the student the whole range of Science in so far as it was covered by the newly discovered treasures of Greek Science, Medicine, and Philosophy, and by the monuments of ancient Roman Jurisprudence. Theology remained Queen of the Sciences, but a grander and nobler conception of Theology arose—a conception which the modern world, alas! has all but lost. Theology became not the mere Chinese Mandarin's poring over sacred texts, but the architectonic science whose office it was to receive the results of all other sciences and combine them into an organic whole, in so far as they had bearings on the supreme questions of the nature of God and of the Universe, and the relation of man to both. However much the actual methods and systems of the Schoolmen fell below the grandeur of their ideal, the ideal was one which cast a halo of sanctity over the whole cycle of knowledge. The merely external and almost accidental connexion of the Universities with the ecclesiastical organization of the
Western Church contributed to the same result. The interests of Learning became associated, if not identified, with the interests of the Church: the pursuit of knowledge became an end in itself; a disinterested intellectual enthusiasm became an element of the Churchman's ideal. So far from knowledge being valued only as a means to immediate edification and sacerdotal equipment, the educational blunder of the age lay rather in the opposite direction; the subjects of the Churchman's education (if we except the narrowing and somewhat demoralizing study of Law) had too little to do with his future work in life, either on its secular or its religious side. The great work of the Universities was the consecration of Learning: and it is not easy to exaggerate the importance of that work upon the moral, intellectual, and religious progress of Europe.

Some reserve is of course demanded in applying general reflections of this kind upon the character of an age, its institutions, and its ideals, to the ordinary life of its average representatives. The earnest students were probably—except perhaps in the age of Abelard or in the very first flush of the Aristotelian Renaissance—a minority. Yet there must have been an immense mass of real intellectual enthusiasm for the development of a University to become possible. If we have any adequate appreciation of what a journey over half Europe, or even half England, meant to a poor man in a semi-civilized age, the movement which brought hundreds or thousands of men and boys to the great centres of enlightenment will seem at least as noteworthy, as epoch-making a movement, as the stir in the active life of the period which produced the Crusades. Undoubtedly this wild outburst of intellectual ardour which marked the age of Abelard cooled very rapidly as it crystallized into the institutional machinery of the University system. Yet the very absence of discipline, of compulsion, of domestic supervision in these Universities of boy-students, the very ease with which (quite early in their history) degrees were obtained, the very laxity of discipline which has so often surprised us in the earlier portions of our narrative, testify
Ch. XIV. to the existence of vast numbers of real students, or the machine could never have gone on as it did. The literary productivity of the Universities is another piece of evidence tending to the same result. A University that is intellectually alive is not likely to be educationally inefficient. The almost superhuman diligence, the extraordinary concentration of reasoning power, the laborious subtlety of the great Schoolmen must have had their fainter counterparts in vast numbers of keen and active and industrious brains. And it is to the moral discipline which all earnest intellectual work carries with it that we must look for the chief surviving evidences of a nobler life than that which is revealed to us by the brawls and the follies and the sensualities of University life—those light things which the stream of time has carried along on its surface and laid in almost bewildering abundance at the feet of the modern wanderer by its shores.

That newborn ardour in the pursuit of 'the pearl of Science' which ushers in the University epoch has been already compared to the great outburst of crusading enthusiasm. The parallel is instructive in more ways than one. To suppose that every student of the twelfth or early thirteenth centuries, even if he were one of those who faced toil and privation in the effort to graduate at Paris or at Oxford, was moved by pure and disinterested enthusiasm for knowledge would be as absurd as to see a saint or a hero in every impeccable Baron or soldier of fortune who fought for the Cross beneath the walls of Acre or of Damascus. The spirit of adventure, the desire to see the world, the ambition for distinction and promotion, even the baser thirst for booty, entered as largely into the motives of the average student as into those of the average Crusader. Indeed, to the ambitious youth of the thirteenth century whose soul rebelled against the narrow limits of his native manor, his native farm, or his native shop, or against the still humbler lot to which numerous brothers might condemn a younger son, there were but two avenues of advancement open. For the man of sinew and of courage War offered chances:
though to the humbly born the chances were small, at least in the first half of our period. To the boy conscious only of brains and energy the Universities brought all the glittering prizes of the Church within the limits of practicable ambition: and, even apart from prizes, learning and academic position secured social status. As time went on, as the Universities passed into the ordinary machinery of the ecclesiastical system and increased in number, the more romantic motives which had influenced the hearers of Aquinas and Grossetête passed more and more into the background, and the Universities became simply the ordinary door to clerical preferment.

Aims and prospects of University students.

The brilliant pictures which imaginative historians have sometimes drawn of swarms of enthusiastic students eagerly drinking in the wisdom that fell from the lips of famous Masters have perhaps somewhat blinded us to the fact that the motives which drove men to the University exhibited much the same mixture and much the same variety as they do now. The pleasures of a University town bore their part in filling the Halls. The picture which has been drawn of the life that went on in them may not commend itself to the imagination of an age remarkable above all other ages for its ingenuity in the discovery of new amusements. But, at all events, in a great University then as now men of the most widely different tastes and interests, found, in a perfection rarely elsewhere obtainable, what is to most men the condition of all other pleasures—an abundance of varied, congenial, but not exacting society. The principle ‘nullius boni sine socio iucunda possessio’ was nowhere better understood than in a medieval University. This motive was especially operative with those large

---

1 By the Statutes of some of the German Chapters, study or graduation at a University was made a condition of enjoying the full rights of a Canon, with or without exception in favour of ‘de militari genere procreati.’ For instances, see Paulsen in Sybel’s Hist. Zeitschrift. T. 45, p. 309 sq.
numbers of older men who got leave of absence from their
benefices under pretext of study in the Universities. To
such men the good company, the excitements, the license
of a University town afforded a welcome relief from the
monotonous routine of the Cathedral close or the isolation
of a country living. To the great mass of the younger
students, however, the University was simply the door to
the Church: and the door to the Church at that time
meant the door to professional life. The key to a right
idea of the relation of the northern Universities to the
Church lies in an appreciation of this fact. In southern
Europe it was otherwise. Where the law of the country
was more or less entirely based upon the Civil Law (as was
the case over most of Europe), the Universities were the
ordinary places of education for the great legal profession
which in the South was in the main a lay profession.
In Italy a degree in Civil Law was the passport to lay
public employment of every description; while the medical
profession was at once more important and less clerical
than in England or northern France.

In the North of Europe the Church was simply a synonym
for the professions. Nearly all the civil servants of the Crown,
the diplomats, the secretaries or advisers of great nobles,
the physicians, the architects, at one time the secular lawyers.

1 Cf. a Statute of Caen in 1439:

Plerumque multi diversorum stauum scpe nituntur ad studia, non
causa proficiendi, transire sicut non-nulli abbates, priores, curati, viri
ecclesiastici, seculares etiam et
plures uxorati, mercatores, mechanici
et alii inepti ad litteras sed ea solum
intentione ut fraudent ecclesias divinis
obsequuis, cessent ab obedientia
suorum superiorum, et eximientur a
juridicione corumdem, vexent in
debite per citationes pauperes, simplices,
absolvantur a taillis et sub
ventionibus regis, juridicionem
tam ecclesiasticorum quam secu-
larium dominorum effugiant et per
turbent facientes diversos transportus
fraudulentos; i.e. engaging in com-
mercial transactions under cover of
exemptions from tolls, &c.] et simi-
la commitentes juri diaesno et state
ecclesiastico penitus contraria" Fon-
nier, III. No. 1632).

2 According to Pulling, Order of
the Conf., p. 11, it was not till the
middle of the thirteenth century that
ecclesiastics were finally barred
from the Common-law bar and best
in England, but even after this it was
probable that the bar was often re-
cruited from clerks educated at the
Universities, and at times in major
orders which conferred no indelible
character.
through the Middle Ages the then large tribe of ecclesiastical lawyers, were ecclesiastics. It is true, as has been already pointed out, that clerkship did not necessarily involve minor orders. But, as it was cheaper to a King or Bishop or a temporal magnate to reward his physician, legal adviser, his secretary or his agent by a Canonry Rectory than by large salaries, the average student at Oxford or Paris—however little he might be looking forward to priestly duties as the real work of his life—generally emulated holy orders as his eventual destination. The non-noble scholar ecclesiastical promotion could come except through some of these secular professions. If he continued to reside and teach in the University, he might in time get a prebend or a living by means of the *rotulus beneficiandorum* and Papal provision: or University distinction might directly recommend him for highest preferment. A Chancellor of Oxford, for instance, was often made a Bishop. Ecclesiastical reformers complained loudly of the way in which the Universities were thronged by beneficed ecclesiastics hanging on in ch of better preferment. But if they left the University, there was, as I have said, little chance for most in the way of advancement except through secular rank. A Priest who had secured an important Cathedral dignity might indeed, even in the retirement of his close, win a professional reputation, and so rise higher by sur of a Chapter or a Bishop. But a young man who desired himself to the discharge of his spiritual duties would itably have remained 'not dead but buried' for the of his days. The idea of making a man a Bishop or

By Canon Law, minor orders sufficient to enable a clerk to a benefice, without the inconvenience of being bound to the ation of the canonical hours, by incumbents of benefices with were compelled to take Priest's rs within a year after attaining the proper age. But dispensations were very freely given to clerks in the service of Kings or magnates, and to students in the Universities. Many Canonries could be permanently held by Deacons or Subdeacons.
CH. XIV. an Archdeacon on account of his zeal, his energy, and his success in the humble round of parochial duty is one which would hardly have occurred to sensible men in medieval times. If a King had a mind for a saintly prelate, his choice would have fallen in the twelfth century on a monk and in the thirteenth on a friar or a noble or an academic Doctor who had a reputation for piety as well as for learning. Secular Bishops were usually, especially in England, respectable men even in their youth, and still more often devout enough in their old age, but their sees were rarely won either by devoteness or by pastoral activity. The professional work of the higher clergy consisted almost entirely in ecclesiastical administration, for which the study of Canon Law was considered the most important qualification. The intermediate grade of clergy were for the most part content with a degree in Arts. The lowest class—the Curates or Vicars of absentee Rectors, the Vicars of impropiated Churches, the Parochial Chaplains and Chantry Priests, the great tribe of Priest-Vicars. Secondaries, Annuellers, and other very ‘inferior’ clergy who swarmed in amazing numbers round the precincts of the great Cathedrals—of these it is probable that only a small proportion had a University degree: many could never have been at a University at all.

1 Cf. the complaints of Clemangis as to the large number of idle absentees who crowded the Universities in Bulaeus, IV. p. 891: ‘Et tamen cum hocie turia Magistorum cernamus, quorum pauci sunt, qui non curandas duces susceperint; cuncti pene in studio atatem conturunt.’ If they retired to their benefices, they think they would get no further promotion: ‘in locis autem studiorum multi ad opulentiorum sortem aditus patent. . . . Portantur Rotuli, queruntur ad Curiam legationes Principum.’ And even when they did, this is his picture of their pastoral activity: ‘Quis in universo regno, nisi forsitan in locis?’ he says to his correspondent. ‘qui gregem suum pastere curret etiam noverit, immo qui lana et iacte non assidue spoliat.’ Clemangis, Opera, Lugduni Batav. 1613, I. p. 339 sqq.


3 Probably many had been for some short period at a University without taking a degree. This is proved by the large numbers of the
NEGLECT OF THEOLOGY.

The duties as these men had to perform academical learn-
as hardly required; it was enough if they knew the
try by heart and could sing a mass. Even for the Parish
with cure of souls 'pastoral' or 'spiritual' duties,
nd above those of a purely mechanical nature, meant
wo things—preaching and hearing confessions.
est who had not had a theological education as a rule
ered himself incapable of preaching: the silencing
pulpits was one of the effects of the passion for
anon Law on the one hand, and for the Scholastic
ophy on the other, those 'effects being still further
ated by the enormous expenditure of time required
ological course by the University system. For
ning of confessions the Artist Priest was equally
ed. Hence the really effective discharge of pastoral
ns and the popular influence attaching to these
ns was almost wholly abandoned to the Mendi-
among whom alone systematic theological training
forced as a preliminary to the Priesthood. The
quences of this abandonment can hardly be adequately
sed in a few sentences. While the Mendicants were
est educated and the most active body of working
while—at least in their earlier days—they absorbed
ir ranks nearly all the religious enthusiasm which
be found in the clerical order, they were also
ost conservative, the least progressive, the most
ontane, and the most disposed to encourage every
of lucrative charlatanry and popular superstition.
curious to reflect how largely the survival from the
es Ages of the traditions of secular University edu-
for the secular clergy, surviving to our own day,
ts alike for the liberal culture, the social influence,
eme low standard of theological attainment

ities compared with the com-
ly small proportion of gra-
As to the rest, I know of
direct evidence. One must
ce's own inferences from, on
the one hand, the large numbers of
University students, and, on the
other hand, the appalling ignorance—
especially theological—of the clergy
at the time of the Reformation.
by which, as a body, the Anglican clergy in recent times have usually been characterized.

The comparison which has been instituted between the Mendicants and the secular clergy requires some qualification as regards the last half of our period. The increasing corruption of the Mendicant Orders produced by the middle of the fourteenth century a reaction in favour of their secular rivals. Chaucer’s ideal clergyman was a Secular, whatever foundation there may be for the tradition that John Wycliffe himself formed the model for his portrait. This turn of the tide did not lead to any very widespread improvement in the moral tone or the pastoral efficiency of the parochial clergy as a body; but it probably did lead to not a few earnest men remaining in their ranks who would infallibly have become Friars had they lived a century earlier. The Wycliffite and Hussite movements differed from previous revivals above all in being secular movements. Indeed, the Reformation itself, though (as it chanced) inaugurated by a secular Master who had turned Friar, was from one, and that not the least important point of view, simply a restoration to its ancient dignity of the parochial pastorate.

Religious Education.

In view of current misconceptions as to the ‘religious’ character of the medieval Universities, it may not be amiss to point out how little ‘religious education’ the medieval University supplied for the future Priest. Except in so far as it taught him to construe his Breviary and qualified him to read a provincial constitution or an episcopal mandate in Latin, there was no relation between the studies of the Artist and the work of the ecclesiastical order. That education might be a good—even an indispensable—foundation for the studies of the Theologian; but in a large majority of cases that foundation must have remained with little or no superstructure. Even when College foundations had multiplied, but a small minority of the clergy could
obtained theological fellowships or bursaries within walls. Outside the Colleges, the wealthier and more serious students betook themselves to Canon Law rather to Theology; the poorer must usually have left the University with a degree in Arts or with no degree at all, consequently without even the rudiments of a theological education. Theological knowledge the Artist had except what he might perchance have picked up at University sermon. It is indeed a mistake to suppose the medieval Church, at least in England, up to the on against Wycliffism, was actively opposed to Bible- even on the part of the laity; still less would it had any disposition to interfere with it in clerks at University. But a student in Arts would have been likely to read the Bible as he would be to dip into nian or Hippocrates. Much astonishment has some- been expressed at Luther's 'discovery' of the Bible the Convent Library of Erfurt. The real explanation is previous ignorance of its contents is that Luther and the Order a Master of Arts who had never studied theological Faculty. Even the highly educated Priest, who was not a Theologian, or at least a nist, was not supposed to know anything of the Bible that was contained in his Missal and his Breviary. Such party capital has at times been made out of supposed 'religious' character of the medieval Univer- ties that it is necessary to assert emphatically that religious education' of a 'bygone Oxford,' in so far ever had any existence, was an inheritance not from Faculties do not appear to have required such attendance. But he wanted little more than a knowledge of texts to introduce into the pious preambles of legal documents.

The Bible was one of the books of Canon Law, we do occa- 

sionally hear of the Canonist lectures upon it, though the
Ch. XIV. the Middle Ages but from the Reformation. In Catholic Europe it was the product of the counter-reformation. Until that time the Church provided as little professional education for the future Priest as it did 'religious instruction' for the ordinary layman. Seminaries for the Priest, Catechisms, and careful preparation for first communion, whether at the Universities or elsewhere, are the product of the counter-reformation, not of the Middle Age. The whole medieval University system, even the College system in the developed form which it had attained by the end of the fifteenth century, was about as unlike the modern Seminary as anything that can well be imagined. If in one sense the Seminary system is the great weakness of modern Romanism, in another it is its strength. It does at least secure careful religious and moral training and competent professional knowledge for the future Priest; and this is just what the medieval University system hardly attempted to do.

Ordination Examinations.

Not only the Universities but even the Bishops seem, in so far as they required any real standard of learning from candidates for holy orders, to have insisted mainly on secular learning. The Founder of a College at Avignon forbids his scholars to proceed to Priest's orders till they had acquired a knowledge of Physics and Metaphysics and had had adequate practice in disputation and maintaining conclusions. The only piece of religious knowledge prescribed is the first (and mainly philosophical) part of S. Thomas' *Summa Theologiae*. The Deacon must have studied the Logic of Petrus Hispanus and the 'Old Logic' of Aristotle. The Sub-deacon was required merely to know the *Doctrinal* of Alexander de Villa Dei, and the work of the Renaissance Grammarian Perotus. A Bishop is said to have been degraded for being ignorant of Donatus: it may be doubted whether it could be shown that any one in medieval times was ever refused ordination—much less degraded when already ordained—for any

1 Fournier, II. No. 1999 (1491-4 A.D.).
Value of a Medieval Education.

What was the real value of the education which the medieval University imparted? That is quite a different question of course from the question of the intrinsic importance of the scholastic Theology and Philosophy, or again of medieval Jurisprudence and Medicine, in the history of thought; just as the intrinsic value of Greek Literature and Philosophy to the world is quite a distinct problem from the educational value of an ordinary classical education to the average boy. It is true that the problems are not unconnected, and it may sometimes be a melancholy necessity that to enable one man to study a subject with effect a dozen should be doomed to study it without profit. But for the present it is the educational value of the medieval University system that is in question.

To the modern student, no doubt, the defects of a medieval education lie upon the surface. The external defects of the University organization have already been incidentally noticed. In the older University system of northern Europe there is the want of selection and consequent incompetency of the teachers, and the excessive youth of the students in Arts. In the higher Faculties too we have encountered the constant effort on the part of the Doctors to evade the obligation of teaching without surrendering its emoluments, while the real teaching devolved upon half-trained Bachelors. It is, indeed, in the Student-Universities that the chairs would appear to have been most competently filled and their duties most efficiently discharged; in medieval times students were more anxious to learn than teachers were to teach. In the earlier period again there was an utter want of discipline among students who ought to have been treated as mere schoolboys. The want was partially corrected by the growth of the College system, but the improvement in
this respect was balanced by the decay and degradation in the higher intellectual life of the Universities. The Englishman, accustomed to divide all human intellects by the broad line which separates the ‘passman’ from the ‘honourman,’ will further notice a want of classification in the system. The *Organon* and the *de Anima* must probably have been above the heads of a very large proportion of the mere schoolboys who were set down to them. It is perhaps to this cause (the want of funds was another) that we must attribute the very small proportion of students who ever attained even the B.A. degree, in spite of the mildness of medieval Examiners. There is considerable reason to believe that in the Middle Ages a larger proportion than at the present day of the nominal students derived exceedingly little benefit from their University education.

‘Oxoniam multi veniunt, reduct quique stulti.’

In the earlier part of our period this must have been peculiarly the case, when so little exertion on the part of the student himself was required. A man was allowed year after year to sit through lectures of which he might not understand one word; later on this defect was partly remedied by the multiplication of ‘exercises’ in College and Hall.

For the fairly competent student the main defects of a medieval education may be summed up by saying that it was at once too dogmatic and too disputatious. Of the superstitious adherence to Aristotle or other prescribed authority sufficient illustrations have already been given. It is of course a direct outcome of the intellectual vice of the age—a vice of which the human mind was by no means cured by the Renaissance or the Reformation. It lasted longest where it was most out of place. In the middle of

---

1 Foreign Universities seem to experience no such need—probably because a large proportion of our passmen have no business in a University at all, and would not be admitted to one in Germany: but the German system does, no doubt, compel men to write dissertations who would be better employed in reading for a Pass or a Fourth in History.
the seventeenth century a Doctor of Medicine was compelled by the English College of Physicians to retract a proposition which he had advanced in opposition to the authority of Aristotle under threat of imprisonment. It may seem a contradiction to allege that this education by authority was at the same time too controversial. Yet the readiness with which the student was encouraged to dispute the thesis of a prescribed opponent, and the readiness with which he would swear to teach only the system of a prescribed authority, were but opposite sides of the same fundamental defect—the same fatal indifference to facts, the facts of external nature, the facts of history, and the facts of life. Books were put in the place of things. This is a defect which was certainly not removed by the mere substitution of Classics for Philosophy. If in medieval times words were often allowed to usurp the place of things, they were not allowed to usurp the place of thought. For a moment no doubt the human mind was brought into real and living contact with a new world of thought and action, of imagination and art, of literature and history, by the 'New Learning': but ere long Classical education in turn became almost as arid and scholastic—as remote from fruitful contact with realities—as the education of the Middle Ages. The history of education is indeed a somewhat melancholy record of misdirected energy, stupid routine, and narrow one-sidedness. It seems to be only at rare moments in the history of the human mind that an enthusiasm for knowledge and a many-sided interest in the things of the intellect stirs the dull waters of educational commonplace. What was a revelation to one generation becomes an unintelligent routine to the next. Considered as mere intellectual training, it may be doubted whether the superiority of a Classical education, as it was understood at the beginning of this century, to that of the medieval Schools was quite so great as is commonly supposed. If in the Scholastic age the human mind did not advance, even Macaulay admits that it did at least mark time. The study of Aristotle and the Schoolmen must have been a better
CH. XIV.

training in subtlety and precision of thought than the exclusive study of a few poets and orators. However defective its methods of achieving that end, the Scholastic education at least aimed at getting to the bottom of things, although Renan (who gives it this praise) has also pointed out the supreme defect of Scholasticism when he says that its method was incapable of expressing "nuances," while truth lies in the "nuances." But as a practical training in readiness and facility of expression the habit of disputation may have been quite as valuable an exercise as the practice of construing and composition, though the dialect acquired was different enough.

It is surprising how little the intellectual superiority of the eighteenth century over the fourteenth impressed itself upon the course of ordinary School and University education, especially in this country. That on the whole a good eighteenth-century education was healthier, more stimulating, and more rational than a good fourteenth-century education need not be denied; but our intellectual advance since the medieval period had less to do with the improvement in the substance or the method of education than the academic world complacently imagined. It was in the main what he picked up out of School and Lecture-room that differentiated the educated man of the eighteenth century from the educated man of the fourteenth.

But, because it is easy enough to pick holes in the education of the past, it must not for one moment be supposed that the education either of the scholastic or of the ultra-classical period was of little value. Up to a certain

1 "Pour moi, qui crois que la meilleure manière de former des jeunes gens de talent est de ne jamais leur parler de talent ni de style, mais de les instruire et d'exciter fortement leur esprit sur les questions philosophiques, religieuses, politiques, sociales, scientifiques, historiques; en un mot, de procéder par l'enseignement du fond des choses, et non par l'enseignement d'une creuse rhétorique. Je me trouvais entièrement assuré de cette nouvelle direction." Souvenirs d'enfance et de jeunesse, Paris 1883, pp. 253-4. Such is Renan's testimony to the semi-scholastic education of the Seminary at Issy as compared with the classical education under Dupanloup which he had left.
point—and this is the one consolation to the educational historian—the value of education is independent either of the intrinsic value or of the practical usefulness of what is taught. The intelligent modern artisan educated at a Board-school or the half-educated man of the world possesses at the present day a great deal more true and useful knowledge than a medieval Doctor of Divinity. But it can on no account be admitted that this puts the uneducated man of modern times on a level with the educated man of the Middle Ages. And the educated man—the man who has spent many of his maturer years in subtle and laborious intellectual work—will generally show his superiority to the uneducated man even in the most severely practical affairs of life when once the former comes seriously to apply himself to them. It was emphatically so in the Middle Ages. Kings and princes found their statesmen and men of business in the Universities—most often, no doubt, among those trained in the practical Science of Law, but not invariably so. Talleyrand is said to have asserted that Theologians made the best diplomats. It was not the wont of the practical men of the Middle Ages to disparage academic training. The rapid multiplication of Universities during the fourteenth and fifteenth centuries was largely due to a direct demand for highly educated lawyers and administrators. In a sense the academic discipline of the Middle Ages was too practical. It trained pure intellect, encouraged habits of laborious subtlety, heroic industry, and intense application, while it left uncultivated the imagination, the taste, the sense of beauty—in a word, all the amenities and refinements of the civilized intellect. It taught men to think and to work rather than to enjoy. Most of what we understand by 'culture,' much of what Aristotle understood by the 'noble use of leisure,' was unappreciated by the medieval intellect. On the speculative side the Universities were (as has been said) 'the school of the modern spirit': they taught men to

1 Kaufmann makes the remark of Scholasticism: it may be extended to the whole work of the Universities.
Ch XIV. reason and to speculate, to doubt and to inquire, to find
a pleasure in the things of the intellect both for their own
sake and for the sake of their applications to life. They
dispelled for ever the obscurantism of the Dark Ages.
From a more practical point of view their greatest
service to mankind was simply this, that they placed
the administration of human affairs—in short, the govern-
ment of the world—in the hands of educated men. The
actual rulers—the Kings or the aristocrats—might often be
as uneducated or more uneducated than modern democracies,
but they had to rule through the instrumentality of
a highly educated class.

In criticizing medieval culture and education, attention
is sometimes too much confined to the Scholastic Philo-
sophy and Theology. The Scholastic Philosophy and
Theology do, indeed, represent the highest intellectual de-
velopment of the period. But they do not represent the
most widely diffused or the most practically influential of
medieval studies. Law was the leading Faculty in by far the
greater number of medieval Universities: for a very large
proportion of University students the study of Arts, in so
far as they pursued it at all, took the place of a modern
school rather than of a modern University. From a broad
political and social point of view one of the most im-
portant results of the Universities was the creation, or at
least the enormously increased power and importance of
the lawyer-class. Great as are the evils which society still
owes to lawyers, the lawyer-class has always been a civilizing
agency. Their power represents at least the triumph of
reason and education over caprice and brute force. Lawyers
have moderated or regulated despotism even when they
have proved its most willing tools: just as in modern
democratic communities their prominence must be looked
upon as an important conservative check upon democracy.¹

Over the greater part of Europe the influence of the
Universities meant more than this. It brought with it the

¹ Cf. the remarks of Prof. Bryce, The American Commonwealth, 1888,
T. III. p. 376 sq.
reasing modification of legal and political institutions by
Roman Law, whether directly or through the Canon
law, whether by avowed adoption or by gradual and
conscious infiltration and imitation. This too was a
utilizing agency, though here again an increase of civiliza-
tion had often to be bought by a decline of rude, barbaric
ity. Our own country is here the exception which
ves the rule. Our own Universities are differentiated
m those of the rest of the world by the small extent to
ich they have been, or still are, places of professional
ication. How far the different course which the develop-
nt of our institutions has taken as compared with those
the Continent, and the large measure of Germanic liberty
ich they retained, are due to the absence of Civilian
ence, is an inquiry which has perhaps been too much
glected by our constitutional historians. It must not be
posed, indeed, that even in England the influence of the
ieties upon our institutions has been small. To say
ething of the considerable infiltration of the Roman
ough the Canon Law into English Law and still more
English Equity, the Common Law escaped the modifi-
sions which nearly every legal system in Europe under-
t at the hands of University-bred lawyers only by the
ation of a rival Legal Science, and even of a virtual
iversity of English Law in London, which would hardly
ve been possible but for the example supplied by the
man Law and its academic Professors.

Present influence of Medieval University Institutions.

It is more directly relative to our subject to examine
at have been the effects of the medieval Universities
on our modern educational system. The genius of the
iddle Age showed itself above all in the creation of
stitutions. The institutions of the Middle Age are
ter—they may prove more imperishable—even than
athedrals. The University is a distinctly medieval
institution. By that is implied not merely that in the
most altered and the most modern of the Schools so
called there are customs, offices, titles, for the explanation
of which we must go back to the history of the thirteenth
century with its Guild movement, its Cathedral Schools,
and especially its great struggle between the Chancellor of
Paris and the Society of Masters. The very idea of the
institution is essentially medieval, and it is curious to
observe how largely that idea still dominates our modern
schemes of education. Persons to whom the term 'me-
dieval' is synonymous with 'ideal,' and those with whom
it is a term of abuse, agree in the assumption that Uni-
versities must exist. And yet they did not exist in the
most highly cultivated societies of the ancient world. It
is entirely misleading to apply the name to the Schools of
ancient Athens or Alexandria. If higher education is to
exist, there must obviously be teachers to impart it, and it
is likely that particular places will become famous for
particular studies. But it is not necessary that the teachers
should be united into a corporate body enjoying more or
less privilege and autonomy. It is not necessary that the
teachers of different subjects should teach in the same
place and be united in a single institution—still less that
an attempt should be made to make the teaching body
representative of the whole cycle of human knowledge.
It is not necessary that studies should be grouped into
particular Faculties, and students required to confine them-
selves more or less exclusively to one. It is not neces-
sary that a definite line of study should be marked out by
authority¹, that a definite period of years should be as-
signed to a student’s course, or that at the end of that
period he should be subjected to examination and receive
with more or less formality and ceremony, a title of honour.
All this we owe to the Middle Ages. Similar needs
might no doubt in course of time have independently

¹ This is, of course, less com-
pletely the case in some continental
Universities than among ourselves.
evolved somewhat similar institutions in a somewhat different form. But, in the form in which we have them, teaching corporations, courses of study, examinations, degrees, are a direct inheritance from the Middle Ages: and it would not be difficult to show that these inherited institutions carry with them not a few assumptions in educational theory and method which might have appeared questionable enough to an ancient thinker. However much the modern mind may in certain directions be reverting to the ideas and spirit of the old world, education, like so much else in the modern world, will always exhibit a vast and incalculable difference from the education of ancient Greece or ancient Rome just because the Middle Ages have intervened.

How much is lost and how much gained by the educational machinery which the Middle Ages have created for us would be a difficult inquiry. That something is lost is evident. Something of the life and spontaneity of old-world culture certainly seems to be gone for ever. Universities have often had the effect of prolonging and stereotyping ideas and modes of thought for a century or more after the rest of the world has given them up. It is surprising how slowly an intellectual revolution affects the course of ordinary education. But educational traditions are marvellously tenacious, quite apart from institutional machinery such as that of the Universities: and education itself must always be, from the necessities of the case, a tradition. In all machinery there is some loss, and yet it is only by means of machinery that culture can be permanently kept alive and widely diffused. The machinery by which this process is carried on among ourselves is as distinctly a medieval creation as representative government or trial by jury. And it is a piece of institutional machinery

---

1 It is also true, no doubt, that parts of our educational tradition are an inheritance from the ancient world itself. The organization of education in the later Roman Empire involved a closer approximation to the University system than the education of the Platonic or the Ciceronian age.
which has outlived almost every other element in the education which it was originally intended to impart.

The reader who has had the patience to follow these pages thus far may, perhaps, be disposed to ask what message the study in which we have been engaged has for the modern educational reformer. And yet the attempts which have been made to impress University history into the service of the educational theory are not altogether encouraging. We have often had occasion to notice that features of the medieval University system which have constantly been appealed to as binding precedents were really less universal and less invariable than has been supposed. The University of London, after being empowered by Royal Charter to do all things that could be done by any University, was legally advised that it could not grant degrees to women without a fresh Charter, because no University had ever granted such degrees: we have seen that there were women-doctors at Salerno 1. We have been told that the medieval University gave a religious education: we have seen that to the majority of students it gave none. We have been told that a University must embrace all Faculties: we have seen that many very famous medieval Universities did nothing of the kind. That it eventually came to be considered necessary, or at least usual, that they should do so, is due to the eventual predominance of the Parisian type of University organization, minus the very peculiar and exceptional absence of a Faculty of Civil Law. We have been told that the collegiate system is peculiar to England: we have seen that Colleges were found in nearly all Universities, and that over a great part of Europe University teaching was more or less superseded by College teaching before the close of the medieval period. We have been told that the great business of a University was con-

---

1 See also below, App. XV. I have been informed by an eminent Judge, who was one of the Counsel on whose advice the University acted, that a knowledge of this fact would have modified his opinion.
Epilogue.

sidered to be liberal as distinct from professional education: Ch. XIV. we have seen that many Universities were almost exclusively occupied with professional education. We have been assured, on the other hand, that the course in Arts was looked upon as a mere preparatory discipline for the higher Faculties: we have seen that in the Universities of northern Europe a majority of students never entered a higher Faculty at all.

On all sides we find that a closer acquaintance with the facts results in a certain disillusionment. And it is chiefly perhaps in disillusionment of this kind that we must find the practical value of University history, as indeed of so much other historical study. The wide survey which we have taken of the Universities of Europe will at least have taught us the flexibility and versatility of the medieval system in spite of much constitutional uniformity. It is only, indeed, in matters of technical constitutional Law that medieval precedent can have any direct value to the modern University legislator. New needs must be met by new machinery. University institutions must undergo perpetual modification in the future as they have undergone perpetual modification in the past. But it is well in this, as in wider fields of social, political, and religious organization, as far as possible to preserve historical continuity. We should avoid the wanton introduction of an historical solecism where an adhesion to ancient form and usage would be quite as easy, the wanton destruction of ancient institutions where a slight modification of them would serve as well, the wanton abandonment of ancient customs and traditions where they are neither harmful nor burdensome. Already, even in England, much has been lost which is past recall, but it may be hoped that a more extended knowledge and more intelligent appreciation of the old University system may prevent the further abandonment of a single piece of ceremonial, of nomenclature, or of procedure which will serve to connect the Universities of the present with that medieval past out of which they have so directly and unmistakably grown.
Names are sometimes of more importance than is commonly supposed. Whether a particular institution should or should not be called a University may seem by itself to be a very small thing. But the name has got to be associated with education of the highest type: to degrade the name of a University is therefore to degrade our highest educational ideal. That Universities should be multiplied is, within certain limits, natural and desirable: and it is by no means essential that all should conform exactly to the same pattern. It is natural and desirable again that efforts should be made to diffuse knowledge and intellectual interests among all classes by means of evening lectures. The English Universities may well be proud of having taken the initiative in a movement of the most far-reaching social and political significance. But it would be a delusion, and a mischievous delusion, to suppose that evening lectures, however excellent and however much supplemented by self-education, can be the same thing as the student-leisure of many years, duly prepared for by a still longer period of regular school training. Examinations, too, and private preparation for them, are an excellent thing in their proper place: but it is a mistake to suppose that an Examining Board can discharge any but the very lowest of a University’s real functions. The two most essential functions which a true University has to perform, and which all Universities have more or less discharged amidst the widest possible variety of system and method and organization, hardly excepting even the periods of their lowest degradation, are to make possible the life of study, whether for a few years or during a whole career, and to bring together during that period, face to face in living intercourse, teacher and teacher, teacher and student, student and student. It would be a fatal error to imagine that either the multiplication of books or the increased facilities of communication can ever remove the need of institutions which permit of such personal intercourse. A University, therefore, must have a local habitation; if it embraces Colleges in different places, you have virtually two or more Universities and not
EPILOGUE.

one. Increased facilities of communication can never 
unite by the true University bond the inhabitants of distant 
owns: indeed it may be questioned whether the highest 
University ideal can be realized with the fullest perfec-
tion even in a single modern city of the largest type, 
especially where it does not possess a distinct University 
quartier.

It may in a sense be maintained that the bewildering 
accumulation of literature and the rapidity with which it is 
diffused have only emphasized the necessity for personal 
guidance and interpretation—for association in teaching, 
study, and in research. Personal contact adds some-
thing even to the highest spiritual and intellectual influ-
ences—in all ages Universities have been the great 
homes of 'movements'—and it adds a life and a power 
to the teaching of men whose books by themselves would 
be of comparatively small account. There is a kind of 
knowledge, too, which can only be secured by personal 
intercommunication, a kind of intellectual cultivation which 
is only made possible by constant interchange of ideas with 
other minds, a kind of enthusiasm which is impossible in 
isolation. To a certain extent of course these functions are 
performed by every sort of educational institution and 
every scientific or literary society. But it behoves us not 
to lose or lower the ideal of the University as the place par 
excellence for professed and properly trained students, not 
for amateurs or dilettantes or even for the most serious of 
leisure-hour students; for the highest intellectual cultivation, 
and not merely for elementary instruction or useful know-
ledge; for the advancement of Science, and not merely for 
its conservation or diffusion; as the place moreover where 
different branches of knowledge are brought into contact 
and harmonious combination with one another, and where 
education and research advance side by side. If the study 
of University antiquities does something to keep alive this 
ideal and to add the charm of historic association to the 
institutions in which it has expressed itself, some practical 
purpose will have been served by what I have consistently
EPilogue.

Ch XIV. Names are sometimes of more importance than is commonly supposed. Whether a particular institution should or should not be called a University may seem by itself to be a very small thing. But the name has got to be associated with education of the highest type: to degrade the name of a University is therefore to degrade our highest educational ideal. That Universities should be multiplied is, within certain limits, natural and desirable: and it is by no means essential that all should conform exactly to the same pattern. It is natural and desirable again that efforts should be made to diffuse knowledge and intellectual interests among all classes by means of evening lectures. The English Universities may well be proud of having taken the initiative in a movement of the most far-reaching social and political significance. But it would be a delusion, and a mischievous delusion, to suppose that evening lectures, however excellent and however much supplemented by self-education, can be the same thing as the student-leisure of many years, duly prepared for by a still longer period of regular school training. Examinations, too, and private preparation for them, are an excellent thing in their proper place: but it is a mistake to suppose that an Examining Board can discharge any but the very lowest of a University's real functions. The two most essential functions which a true University has to perform, and which all Universities have more or less discharged amid the widest possible variety of system and method and organization, hardly excepting even the periods of their lowest degradation, are to make possible the life of study, whether for a few years or during a whole career, and to bring together during that period, face to face in living intercourse, teacher and teacher, teacher and student, student and student. It would be a fatal error to imagine that either the multiplication of books or the increased facilities of communication can ever remove the need of institutions which permit of such personal intercourse. A University, therefore, must have a local habitation; if it embraces Colleges in different places, you have virtually two or more Universities and not
one. Increased facilities of communication can never unite by the true University bond the inhabitants of distant towns: indeed it may be questioned whether the highest University ideal can be realized with the fullest perfection even in a single modern city of the largest type, especially where it does not possess a distinct University quarter.

It may in a sense be maintained that the bewildering accumulation of literature and the rapidity with which it is diffused have only emphasized the necessity for personal guidance and interpretation—for association in teaching, in study, and in research. Personal contact adds something even to the highest spiritual and intellectual influences—in all ages Universities have been the great homes of ‘movements’—and it adds a life and a power to the teaching of men whose books by themselves would be of comparatively small account. There is a kind of knowledge, too, which can only be secured by personal intercommunication, a kind of intellectual cultivation which is only made possible by constant interchange of ideas with other minds, a kind of enthusiasm which is impossible in isolation. To a certain extent of course these functions are performed by every sort of educational institution and every scientific or literary society. But it behoves us not to lose or lower the ideal of the University as the place par excellence for professed and properly trained students, not for amateurs or dilettantes or even for the most serious of leisure-hour students; for the highest intellectual cultivation, and not merely for elementary instruction or useful knowledge; for the advancement of Science, and not merely for its conservation or diffusion; as the place moreover where different branches of knowledge are brought into contact and harmonious combination with one another, and where education and research advance side by side. If the study of University antiquities does something to keep alive this ideal and to add the charm of historic association to the institutions in which it has expressed itself, some practical purpose will have been served by what I have consistently
Ch. XIV. endeavoured to make in the main a purely critical and historical inquiry. In Education as in other matters some knowledge of the past is a condition of practical wisdom in the present, but the lessons of history seldom admit of formal deduction or didactic exposition.
APPENDIX
APPENDIX

I.

PAPER UNIVERSITIES.

The following is a list of Universities for which Bulls were granted, but which never came into actual existence. Down to 1400 the list (with one exception) has the authority of Denifle (Die Univ. des Mittelalters, I, pp. 630-652): after that it is probably very incomplete.

GRAY (1290). A Bull was granted in 1290 by Nicolas IV on the petition of Otto IV, Count of Burgundy. See above, p. 187.


DUBLIN (1312). In 1311, the year after his accession to the See, John Leech, Archbishop of Dublin, petitioned Clement V for a Studium Generale in his metropolitical city. The petition recites the fact that there was no University in Ireland or in the most nearly neighbouring countries of 'Scotland, Man, and Norway,' (the geography of the Irish Prelate seems tinged by Home-rule aspirations), the absence of learned men in Ireland, and the perils of the Irish Channel. The Bull was issued in 1312, and is printed in Mason, The History and Antiquities of the Collegiate and Cathedral Church of S. Patrick near Dublin, Dublin, 1820, in App. No. VII. 41, where it is wrongly dated 1310, and in Regesta Clem. V, Romæ, 1887 (No. 8634). It is remarkable in that it makes the establishment of the University at Dublin dependent upon the approval of the Archbishop and his suffragans, confers no jus ubique docendi, and, while authorizing the licentia docendi, does not determine the
APPENDIX.

I.

authority by which it is to be conferred. The death of the Archbishop and a long vacancy in the See prevented the immediate execution of the design. In 1320 the new Archbishop, Alexander de Byckenore, with the assent of his two Chapters of the Holy Trinity (now Christ Church) and S. Patrick's, issued a body of Statutes (Mason, App. No. VII. § 2; also in Ware, De Hibernis et Antiquitatibus ejus, Londini, 1658, p. 77), by which the Chancellor is to be elected by the Regents (subject to confirmation by the Archbishop), but, if there is a Doctor of Theology or Canon Law in either of the Dublin chapters, he (or one of such Doctors, if there are more than one) is to be elected. The University is to be governed by the Chancellor and two Proctors, and the rest of the constitution is framed on the Oxford model, with the exception of certain reservations in favour of the Archbishop. It is provided 'quod Cancellarius, de consilio magistrorum regentium, et non regentium, sive necesse fuerit, statuta condere possit ad honorem et pacem Universitatis, et ad scandalum dirimenda, que contingere poterat in eventu, et illa statuta debent nobis et successoribus nostris presentari, et per nos et eosdem successores confirmari.' The Chancellor has jurisdiction over Masters and Scholars and their servants, where 'actor et reus sunt de Universitate predicta,' except where a Canon or a member of his household or of the Archbishop's household is involved. From the Chancellor there is an appeal to the Regents, but the further appeal is to the Archbishop, to whom also is reserved the right of appointing a Regent to lecture on Theology in S. Patrick's Cathedral. The Chancellor is to take an oath of obedience to the Archbishop.

It appears that the then Dean of S. Patrick's was appointed Chancellor and took the degree of Doctor in Canon Law, while two Friars were made D.D. In 1364, Lionel, Duke of Clarence, founded a Divinity Lectureship to be held by an Augustinian; while in 1466 a provincial Synod imposed an annual contribution upon the clergy of the province for seven years to provide salaries for other Lecturers (Mason, p. 101). These are all the facts that are known as to the existence of a University: the reader must be left to judge for himself as to whether the University of Dublin has been rightly included among the still-born Universities. Clearly there were some schools in Dublin, but in the absence of any evidence of graduation (after the first formal graduations of persons educated elsewhere) the differentia of a de facto University seems to be wanting.


The following account of an attempt to found a University is
Drogheda in 1465 may be appended as evidence that no University existed at Dublin at that date (D’Alton, History of Drogheda, Dublin, 1844, II. p. 149). 'On the accession of Edward the Fourth the Earl of Desmond was exalted to the honour of Lord Justice of Ireland, immediately after which he convened his parliament to assemble in this town (i.e. Drogheda). The corporation and townsmen of Drogheda happily directing his attention to the fact that during the government of Sir Edmund Butler, at the instance of the Archbishop of Dublin, a bull of the Pope was procured for the establishment of a University in Dublin, which however had declined for want of funds, besought him to effect a similar distinction for their town (i.e. Drogheda), the immemorial residence of the Primate of Ireland, and an act was accordingly passed (5 Edw. IV. c. 46) of which the following is a translation:—"Also at the request of the commons, because the land of Ireland has no university nor place of general study within it, a work of which sort would cause a great increase of knowledge, riches, and good government, and would prevent riot [1], evil government and extortion within the same land, it is therefore ordained, established and granted by authority of parliament that there be a University in the town of Drogheda, in which may be made bachelors, masters and doctors in all sciences and faculties as they are made in the university of Oxford, and that they may also have, occupy and enjoy all manner of privileges, laws and laudable customs which the said university of Oxford hath occupied and enjoyed, so that it be not prejudicial to the mayor, sheriffs nor commonalty of the said town of Drogheda." The political events of the period, however, prevented the consummation of this desirable object. Ireland as well as England was in a state of complete exhaustion during the reign of Edw. IV, and in that of Henry VII was much distracted by the attempts of his enemies to make it the scene of contests and rebellions, that they hoped would overturn his government, while the more immediate circumstance of the execution of the Earl of Desmond as a traitor naturally attached an odium to all his measures, and particularly to that which contemplated the elevation of a secondary locality to a literary preeminence above the metropolis. Dublin continuing afterwards the fixed seat of the Parliament, and the ultimate establishment of a University there in 1591 seem to have extinguished the expectation and almost the wish for realizing this honourable distinction.'

Verona (1339). A Bull was granted by Benedict XII in 1339

1 The attempt seems to be wrongly dated 1368 by Ware, p. 82, and Ware-Harris, p. 245.
APPENDIX.

for all Faculties except Theology. (Bull. Rom. ed. Taur. IV. 459.)

The town-statutes of 1458 provide for a Doctor of Grammar and Rhetoric, of Civil Law, of Canon Law, of Arts and Medicine, and of Arithmetic (Statuta communisit Veronae, Vicentiae, 1475, lib. I. Nos. 111-118), and then might presumably have claimed the privileges of a Studium Generale, but there is no evidence of graduation.

GENEVA (1365). On the petition of Amadeo VI. Count of Savoy, a Studium Generale in all Faculties was founded at Geneva in 1365 by a Bull of the Emperor Charles IV for all Faculties (published by Vuy in Mémoires de l'Institut Génévois, XII. 1869, p. 43). Denifle (Die Univ. des Mittelalters, I. p. 649) cites an interesting document which shows that the Bull was an expedient to revive a very decaying School. The Bishop had in the preceding year complained to the Pope that the Chancellor of his Cathedral was in the habit of selling ‘regimen scolarum civitatis et dioec. Gebennenn. plus offerente. ’ his demands being so extortionate ‘quod scole ipse quasi ad nichilum sunt redacte.’ This behaviour of the Chancellor explains the fact that he is altogether ignored in the constitution of the Universitas, and the unusual provision in the foundation-bull which entrusts the right of promotion to the Doctors or Masters themselves.

LUCCA (1369). A Studium Generale was erected by Charles IV. and is remarkable for including Astrology among the Sciences and approved Faculties to be taught there. (Baluze, Miscellanea, ed. Mansi, Lucca, 1764, IV. 184.) In 1387 another Bull (for all Faculties except Theology) was procured from Urban VI (ib. p. 185). But no Studium except in Arts appears to have really come into existence, and this is not organized as a Studium Generale. For information as to the Schools of Lucca, both before and after the Bulls, see the documents published by Lucchesini, Della storia letteraria del ducato Lucchese in Memorie e documenti per servire all'istoria del ducato di Lucca, Lucca, 1825, IX. 18 sq.

ORVIETO (1378). The town-statutes (Fumi, Codice diplomatico della città d' Orvieto in Documenti di storia italiana per le provincie di Toscana, dell' Umbria e delle Marche VIII, Firenze, 1884, p. 760 sq. testify to the existence of a considerable Studium from 1280. It obtained the grant of a Studium Generale from Gregory XI 1377 (ib. p. 567), while the actual Bull was issued in the following year by his successor, Urban VI; but it appears that even the Studium which had previously existed in the place was now extinct, since after this we hear nothing even of salaries so far as the higher Faculties are concerned.

KULM (1386). A Bull of Urban VI was granted on petition of the Teutonic Order, ' instar studii Bononiensis,' which is said to be
printed in Urkundenbuch des Bisthum Kulm, Danzig, 1885. (Neues Appendix. Preussisches Urkundenbuch, Abth. II. ed. Woelky, I. 89. f. N. 369.)

This Bull is not mentioned by Denifle.

Fermo (1398). Denifle has shown (l. c. p. 630) that the Bull for this University was granted, not by Boniface VIII, but by Boniface IX. It was confirmed by Calixtus III in 1455, but was only brought into actual existence by a Bull of Sixtus V in 1585. Denifle speaks of a monograph by Curi, L'Università degli studi di Fermo (Ancona, 1880), which attributes its origin to Lothair!

Calataydd (1415). A Bull was granted for a University at Calataydd, on the western borders of Aragon, by Benedict IV in 1415 (Doc. ap. de la Fuente, Hist. d. las Univ. en España, I. p. 321). But nothing appears to be known as to the actual existence of a University in this place.

Lüneburg (1477). A Bull was granted by the Emperor Frederick III in 1477, said to be printed by Caspar Sagittarius and Henricus Gause in Memorabilia Historia Luneburgica.

Frankfurt on Oder (1500). Bull obtained by the Margrave John Cicero from Alexander VI and the Emperor Maximilian. The actual erection of the University was suspended by the death of the Margrave, in the same year, till 1506, when a fresh Bull was obtained from Julius II (Becmanus, Notitia, p. 14).

II.

ALLEGED UNIVERSITIES AT LYONS, REIMS, ALAIS, PARMA, &c.

Lyons.

Prof. Kaufmann (Gesch. d. deutsch. Univ. I. p. 379) wishes to make Lyons a Studium Generale in the thirteenth century, on the strength of an allusion in a Royal decree of 1302 to the City's right 'habendi insuper in dicta civitate utpote egregia studium scolarium et regentium in jure civili et canonico ad docendumque artes alias liberales' (Cartulaire municipal de Lyon, ed. Guigue, Lyon, 1876, p. 29; Fournier, Statuts et Priv. des Univ. franç. II. No. 1562). In a document of 1328 (Cartulaire, p. 82; Fournier, II. No. 1563) Philip VI declares that 'archiepiscopos et capitulo Lugdunense, doctoribus et bacalariis decretorum et legum in dicta civitate hujusmodi scientias volentes publice legere et docere, circa eorum lecturas novitates indebitè inibì facere nittuntur, dictos doctores et bacalarii compellendo jurare quod, lectura sua durante, contra eos non consulent.' This is evidence of the exist-
APPENDIX.

II. 

ence of an important School, but if a City is to be added to the list of Studia Generalia on such evidence, where are we to stop? Innocent IV's foundation of the Studium Curiae Romanae, issued at Lyons in 1245, has sometimes been mistaken for a foundation of a University at Lyons. All the documents are printed in Fournier. II. No. 1559 sq. A document of 1291-2 (ib. No. 1560) shows that one Doctor was licensed by the Archbishop, and the other by the Chapter, no additional Doctors being permitted without the consent of both.

The history of the School is dealt with by Bronchoud, Recherches sur l'enseignement du droit à Lyon, Lyon, 1875, and Rougier, Aperçu historique sur l'enseignement du droit à Lyon, Lyon, 1874.

REIMS.

In the twelfth and thirteenth centuries the Cathedral School of Reims occupied much the same kind of position as that of Lyons, except that Lyons was famous for the study of Law, Reims for Theology. When Alexander III wrote to the Bishop of Paris directing him to condemn the Nihilism of Peter the Lombard (see above, vol. I. p. 54), he directs him to summon as his Assessors the Masters of the School at Reims and other places ('convocatis magistris scolarum Parisiensium et Remensis et aliarum circumsituarum civitatum' (Denifle, Chartularium, I. Introd. No. 9; Fournier, II. No. 1555). We have already noticed the existence of a 'Collège des Bons-enfans' here (above, vol. I. p. 485 n. 1. Fournier, II. No. 1557). In 1258 we find a Bull of Alexander IV, in which a careless reader might detect a recognition of Reims as a Studium Generale. It is directed against the Chanter of Reims who was guilty of the common practice of getting dispensed from residence for study at a Studium Generale and then going to live on other benefices or in his native country, 'ad excusandas excusationes in peccatis scolas Predicatorum vel Minorum ordinis vel alterius docentis ibidem perfectorie adeundo.' The Chanter had adopted this subterfuge, 'licet Remis adeo utiliter sicet et alibi in dicta pagina studere, si velit, valeat.' The Dean and Chapter of Reims are forbidden to let him enjoy his 'fruits,' 'nas Remis in predicta pagina studenti vel alibi ubi generalis in eavescolasticici studii disciplina' (Fournier, II. No. 1558). This may no doubt be read as if implying that Reims was a Studium Generale; but it need not be so. The principle clearly was that he must either study at Reims, or, if elsewhere, then in a Studium Generale. It is possible that Reims may have been described as a Studium Generale in the vague thirteenth-century sense: it was just one of those Schools that might well have developed into a Studium
Generale ex consuetudine: but it did not do so. The University Appendix dates from 1547.

There is a full history of the School and University by Dom Marlot, Histoire de la ville, cité et Université de Reims (Reims, 1846), and a Histoire du collège des Bons-enfants de l'Université de Reims by Cauly (Reims, 1885). The following works by Rougier may also be mentioned; L'instruction publique à Lyon avant 1789 (Lyon, 1869), and Aperçu historique sur l'enseignement du droit à Lyon (Lyon, 1874).

Alais.

In the Bibliothèque de l'École des Chartes, T. XXXI (1871), p. 51 sq., M. Eugène de Rozière has published some interesting documents relating to the opening of a Studium at Alais in 1290. There are two contracts, one with Armandus de Jeco, 'canonicus Vasionensis, doctor decretorum,' the other with 'dominus Raymundus Soquerii, regens in legibus in civitate Avenionensi,' to lecture on their respective subjects, as well as (in the case of the Civilian) to give legal assistance to the Magistrates. Prof. Kaufmann remarks triumphantly that they do not seem alive to the necessity of a Papal or Imperial Bull—as if Denifle or any one else had maintained that such a Bull was necessary to a Studium which had no pretensions to being 'generale.' It is noteworthy that the first contract contains a clause that no other shall lecture at Alais (unless the Doctor's salary is raised)—which does not accord with even Kaufmann's somewhat indefinite ideas as to the nature of a Studium Generale. Denifle has pointed out over and over again that such a Studium of Law existed in most Italian towns and in many other parts of Europe, but no one ever dreamed of considering them 'Studia Generalia.' The documents are now printed in Fournier, Stat. et Priv. des Un. franç. II. No. 1569 sq.

Parma.

From the documents published in the anonymous Memorie e documenti per la storia della Università di Parma nel Medioevi, vol. I (Parma, 1888), it appears that an institution claiming to be a Studium Generale was established at Parma in 1412, with a Rector, University of Students, and College of Doctors, at which degrees were actually given and diplomas issued with the accustomed formula 'catedram magistralem ascendendi et in ea legendi, docendi, disputandi, questiones terminandi, et ceteros actus doctoreos exercendi... et doctorum insignia deferendi hic et ubique locorum auctoritatem et licentiam,' &c. (p. 111). Statutes were drawn up on the Bologna model in 1414 (p. iii sq.); and the Matricula
ALLEGED UNIVERSITIES.

Appendix II.

of 1413 shows an entry of seventy-seven names. But no Papa or Imperial Bull of foundation was granted, though it appears that efforts were made to obtain the former, circa 1328 (ib. p. 74.) and again in the fifteenth century (Denifle, I. 293). The evidence goes to show that such a Studium would not have been considered 'general' or its licentia ubique docendi accounted valid at the time. Hence I have excluded Parma from the list of mediæval Universities. The documents before 1412 only show the existence of an isolated 'medicus,' and a single 'eius scolaris' (p. 103) and Schools of Grammar, Arts, and Law (p. 104 sq.), such as existed in most considerable Italian towns without any pretensions to the appellation of Studium Generale. At one time—in the twelfth century—the town seems to have possessed considerable fame as a School of Grammar and Arts (ib. p. 22 sq.): but there is no evidence to show that it was ever recognized as a Studium Generale ex consuetudine. There seems to have been a College of Doctors with regular Statutes as early as 1294 (Doc. in Afl. Memorie degli Scrittori, &c. p. xxiv). It is observable that Gian Galeazzo Visconti of Milan, in an edict of 1387, forbids inhabitants of the Parmese territories to resort to other civitates Italicae in quibus Studia generalia vigeant, and requires them to attend the Studium of Parma, but the edict studiously refrains from calling the latter a Studium Generale. In assuming that title in 1412, they were simply, as was sometimes done in other cases (e.g. Pisa, see above, p. 45), presuming upon the issue of a Papal Bull, in anticipation of which the Studium had been organized: but, as the event proved, the Parmese were counting their chickens before they were hatched. To include Parma among Universities (as is apparently done by Kaufmann, I. p. 231) is simply to abandon all constitutional accuracy in the use of the terms. It was not till 1512 that Parma succeeded in obtaining a Bull from Julius II (Aflò, i. c. p. cii). The history of the Studium is dealt with by Aflò, Memorie degli Scrittori e Letterati Parmigiani. I. Parma, 1789 (Discorso Preliminar); Tiraboschi, Ist. d. Litt. Ital. VI. pt. i. p. 149; Pezzana, Storia della Città di Parma, Parma 1842, II. p. 145 sq. The city was famous for Artes Liberales from the eleventh century, but the allusions do not prove a Studium Generale. See Muratori, Rer. Ital. SS. III. c. 912, V. 534. Cf Dümmler, Anselmus der Peripatetiker (1872), p. 21.

NISMES.

The accounts of the Consuls of the City of Nismes for 1373 contain a number of interesting details relating to an attempt to set up a 'Studium Generale' at Nismes. There are the expenses of journeys to Avignon and Montpellier to bribe away Doctor
and students and to procure a Papal Bull, and for a copy of the Appendix privileges of Montpellier, which it was proposed to imitate, for presents to a Cardinal ("pro decem vasis vini cum fusta . . . presentatis . . . domino cardinali Minatensi . . . cvii florenos, medium"), for adapting a building for Schools, for going to meet a Doctor from Avignon, feasting him upon his arrival, &c. The Schools were evidently opened and lectures given, but it is clear that the Bull was not granted. The failure of the attempt to found a 'Studium Generale' shows (in opposition to the views of Kaufmann and others) how indispensable the Papal Bull had by this time become. The doc. is printed by Fournier (Stat. et Priv. d. Un. frang. II. No. 1576) from Ménard, Histoire de Nîmes, 1874, p. 323, and Preuves. No Bull for Nîmes appears in the Register of Gregory XI (Denifle, Archiv f. Kirchengesch. IV. p. 262).

Gaillac and Albi.

A Studium of Arts was founded at Gaillac by Bull of John XXII in 1329, but it is styled simply 'studium in quo magistri libere doceant, ac scolares student et audiant,' not 'studium generale.' The object of the Bull is contained in the clause 'rectoris et magistrorum Universitatis studii Albiensis, qui sunt et erunt pro tempore, et cujuscumque alterius licentia minime requisita' (Fournier, II. No. 1573). In spite of this privilege, the Bishop of Albi excommunicates the whole town on account of these academical pretensions—a sentence reversed on appeal to the Court of the Archbishop of Bourges (ib. No. 1574).

The two cases of Gaillac and Albi are instructive, the first as showing that a Studium privilegium need not be general, the second as illustrating the possibility of a Rector and University of Masters in a studium particular.

Billom.

Denifle has printed several documents (Les Univ. françaises, pp. 94, 95) from which it appears that at Billom in Auvergne there was a Studium of Law of a kind which could be plausibly represented as a Studium Generale. The most important of these is a document of 1345, in which a Canon asks for dispensation from residence while studying at Billom or 'in any other Studium Generale.' This implies that students at Billom claimed that it was a Studium Generale, but not of course that the claim was admitted. Indeed, as dispensation was usually only granted for residence at Studia Generalia, the Canon had an adequate reason for misrepresentation. In 1349 a Cardinal petitions the Pope on
ALLEGED UNIVERSITIES: MILAN.

Appendix. II.

behalf of a Canon of Bilhom who wanted to be absent from the services of his Church while teaching in the Studium. The 'instruentium nimis raritas' is alleged as a ground for the petition.

MILAN.

The following statement occurs in Baldus, Consilia, T. V. Cons. 77, fol. 21 a (Frankof. ad Mæn. 1589) :- 'Ciuitas Mediolanensis ex consuetudine, cuius contrarii memoria non existit, intelligitur apud se habere studium generale, presertim quia est ciuitas regia cf. above, vol. I. p. 13, n. 1) et Metropolitana.' Had this testimony occurred somewhat earlier (Baldus died at Pavia in 1400) it might have been natural to accept it as decisive. But it is so entirely unsupported by what we know of the Studium at Milan in the fourteenth century that it must be received with very great suspicion. We are told, indeed, that in 1288 there were in Milan 15 Doctors of Grammar and Logic, 70 'magistri puereorun ad initiales litteras;' and 180 medici dicti philosophi computatis Cymcis. Inter quos plures salariati per Communitatem' (Giulini, Memòri spettanti alla storia della Città di Milano, pt. viii. p. 395). The same writer cites a MS. Chronicle by Flamma, for the statement that 'Jurisperiti habent publicas scholas,' but from the context it would seem doubtful whether these were anything but Schools for Notaries. And there is no mention of teaching in Medicine or Philosophy. Nor is there any reason to believe that the Studium was really looked upon as general during the fourteenth century, while there is every reason to believe that, if there were such a Studium, we should have heard of it. Moreover in 1387 Gian Galeazzo Visconti forbade his subjects to study except at Parma (see above, p. 726). Hence the attempt to make out that Milan was a Studium Generale must probably be looked upon as a mere counsel's opinion obtained by a client with whom the wish was father to the thought. The circumstances are partially set forth in the Casus on which the opinion was taken :-

'In Christi nomine. Casus talis est. Quidam impetravit gratiam a summo Pontifice, in qua narravit se studere in iure ciuili non exprimendo locum, ubi studeret, prout studebat in Mediolano: ubi licet non sit studium ordinatum, seu generale, per sapientes doctores legis tur, ut lectum fuit, et hodie legitur, et per tanti temporis spaciurn, quod in contrarium memoria hominis non existat. Modo quæritur, utrum gratia prædicta sit suprætitia pro eo, quod non studebat in iure ciuili in studio ordinato et deputato, vel non' (ib. fol. 20 b).

It is obvious that Baldus' client had obtained some 'gratia,' e.g. a dispensation from residence, on the ground that he was
studying in a Studium Generale when he was studying or pretend- ing to study at Milan. For the ease of his conscience, or some more material purpose, he now wanted a legal opinion that Milan was a Studium Generale. The opinion was of course forthcoming, though the grounds on which it was based could have convinced no one.

III.

LAW-TEACHING IN THE EARLY MIDDLE AGES.

The following extracts will illustrate what has been said above (vol. I. p. 101 sq.) on the teaching of Roman law in the ordinary schools of the early Middle Age. I take them chiefly from Fitting:


730 LAW-TEACHING IN THE EARLY MIDDLE AGES.

Appendix.

III.

5 'His dans grammaticæ rationis gnaviter artes,
Illis rhetoricae infundens refluamina linguæ,
Illos iuridica curavit cote polire.
Illos Aonio docuit concinnere cantu

Ast alios fecit præfatus nosse magister
Harmoniam coeli.'

Alcuinus, de sanctis Eboricensis ecclesiæ. (Mon. Germ. Porta lat. 1. p. 201.)

6 'Diu vivebat pater eorum [Carolus Magnus] cum eis feliciter
et utiliter instructus eos liberalibus disciplinis et mundanis legibus.'

Theganus, Vita Hludovici Imp. (written 835), c. 2 (Pertz, SS. II. p. 591.)

7 'Bruno [postea Leo IX Papa] insistebat literarum gymnasio
... Nempe, ut primum competit rudibus, decursu artium trivo.
non solum claruerunt prosa et metro, verum et forenses controversas
acuto & vivaci oculo mentis deprehensas expediebant seu removebant sedulo.
Denique quadrivium naturali ingenio vestigantes
degustarunt, atque non minimum in ipso quoque valuerunt.'

Vita S. Leonis pape (1054) auctore Wiberto, l. I. cap. iv. (Mabillon, A. SS. Ord. S. Benedicti, Sec. vi. pt. ii. p. 55.)

8 'Cum Romani terrarum orbi imperarent, ita moderamine
legum scripto regebatur, ut nulli impune cederet factum quod lex
vetuerat. Postquam vero Germanum regnum a Romanis recesserat,
Sigibertus et Theodoricus ac deinde Carolus iura dictabant.
que si quis potens ac nobilis legere nesciret, ignominiosus videbatur,
sicut in me corvisque meis, qui iura didicimus, apparet. Moderni vero filios suos neglegunt iura docere, qui quandoque pro
suo libitu et possibilitate mendoso iure quoque iuvant aut depriment et per exlegem temeritatem.'

Chron. Ebersgerense, an. 1013 (written c. 1050; Pertz, SS. XX. p. 14. The words are ascribed to the aged Count Udalrich of Ebersberg in Upper Bavaria (1009).

So 'Hermiannus (+1026) nobili Agrippinensium genere procreatus litterarum studiis, ut decet nobilibus, adprime eruditus.'

Gesta Episc. Tullens. c. 37 (Pertz, SS. VIII. p. 643).

9 In the following passage the allusion is to an edict of
the Emperor, Henry III, requiring subjects to have their children educated:

'Quilibet ut dives sibi natos instruas omnes
Litterulis, legemque suam persuadeat illius,
Ut—cum principibus placitandi venerit usus—
Quisque suis libris exemplum proferat illis.
Moribus his dudum vivebat Roma deceter:
His studiis tantos potuit vincire tyrannos.'
SOME BOLOGNA DOCUMENTS.

Hos servant Itali post prima crepundia cuncti,
Et sudare scholis mandatur tota iuventus.
Solis Teutonicis vacuum vel turpe videtur
Ut doceant aliquem nisi clericus accipiatur.'
Wipo, Tetralogus, II. 191-200 (Pertz, SS. XI. p. 251.)

(10) Alius etiam aequo notus mihi atque civis in Ravennati urbe
pollebat et legis peritia strenuus et grammaticorum regulis com-
petenter instructus.' Petrus Damianus, Opusc. XLII. c. 2 (Migne,
T. 145. c. 669).

IV.

SOME BOLOGNA DOCUMENTS.

(To illustrate Vol. I. pp. 156, 172-3, 223.)

A. Bull of Honorius III in 1217 to the Student-Guild of Rome,
Campania, and Tuscany at Bologna. (Cf. above, vol. I. p. 156 sq.)

[Vatican Register, No. 9, f. 110 b, Ep. 453. I owe these transcripts from
the originals of the documents inaccurately printed by Sarti to the kindness
of Father Denifle.]

HONORIUS III

Scholaribus universis de Urbe, de Campania, et de Tuscia
Bononie commoranibus.

Etsi multam honestatem, immo necessitatem, sicut asseritis, causa
contineat, que vos ad contrahendam societatem induxit, quia
tamen interdum ea que bono inchoantur principio in pravum
deducuntur exitum per abusum, diligenti vos deec sollicitudine
precaverne ne occasione societatis ipsius a vobis aliqua presu-
mantur que Scolasticam in aliquo dedecean puritatem.

Quapropter Universitatem vestram monemus et exhortamur
in Domino per Apostolica vobis scripta mandantes quatenus in
actibus vestris eam de cetero modestiam observetis, ut et infamie
notam et rerum dispendium omnino vitetis, de Civitate exire
quam perjurii reatum incurrere potius eligentes si ad alterum
predictorum per Potestatem vos contigerit artari. Vos enim
Societatem dissolvere aut Statutum illud contra libertatem Sco-
larium vestris Statutis inserere non potestis qui utrunque servare,
et quam potestis diligentius procurare, fide interposita promi-
sistis.

Datum Anagnie sexto Kal. Iunii Pontificatus nostri anno
primo.
APPENDIX. B. Bull of Honorius III authorising the Archdeacon of Bologna to absolve for assaults on clerks, 1219. (Cf. above, vol. I. p. 223.)

[ib. f. 107 b, Ep. 510.]

ARCHIDIACONO BONONIENS.

Consideratis circumstantiis temporum et locorum rigor justitie debet aliquando mansuetudine temperari, ut vini compunctio lenitata olei mitigetur, et peccator in profundum non veniat et contemptat, preseritum cum sine dispendio Ecclesiarn usquequaque servari non possit vigor Ecclesiastice discipline. Sane cum sepe contingat, quod in civitate Bononien. plures doctores et Scolares propter violentas injectiones manuum in clericos excommunicati decedant, ac alii redeuntes ad propria promoveantur ad Ordines. absolutionis beneficio non obtento; unde preter irregularitatem quam incurrunt, improvide in hujusmodi multi nolentes suum confiteri delictum, paupertate vel infirmitate gravati vel alias imbecillitate animi dormientes ac confessi ad Sedem Apostolicam transmittantur in peccatis suis miserabiliter moriuntur. Nos igitur super hujusmodi periculis volentes eisdem Doctoribus et Scolaribus paterna sollicitudine providere, quorum nolumus. sicut nec expedit, studium per absentiam impediri. auctoritate tibi presentium indulgemus ut ipsis, qui ad invicem in se aut in alias personas Ecclesiasticas manus injecerint violentas, nisi tam gravis fuerit aut enormis excessus ut merito sint ad Sedem Apostolicam destinandi, juxta formam Ecclesie beneficium absolutionis impendas. Nulli ergo omnino hominiis liceat hanc paginam nostre concessionis infringere vel ei ausu temerario contraire.

Si quis autem hoc attentare presumperit, indignationem Omnipoenitentis Dei ac Beatorum Petri & Pauli Apostolorum ejus se noverit incursurum.


C. Bull of Honorius III giving right of promotion to the Archdeacon of Bologna, 1219. (Cf. above, vol. I. p. 223.)

[ib., Ep. 509.]

Cum sepe contingat ut in civitate Bononiensi minus docti ad docendi regimen assumantur, propter quod et Doctorum honor minuitur et profectus impeditur Scolarium voluntium erudiri; Nos corumdem utilitati et honori utiliter prospicere cupientes auctoritate presentium duximus statuendum, ut nullus ulterior in civitate predicta ad docendi regimen assumatur, nisi a te obtenta licentia, examinatione quoque prehabita diligenti, tu denique contradictores si qui fuerint vel rebelles, per censuram ecclesiasticam appellations remedio compescas. Dat. Reate iii. Kal. Iulii [Pontificatus nostri] anno tertio. Nulli ergo etc. nostre constitutioni infringere. Si quis autem, etc.
D. Bull of Honorius III in favour of the University of Bologna, 1220. (Cf. above, vol. I. p. 172 sq.)

[ib. f. 179, Ep. 728 bis.]

Populo Bononiensi.

Ex relatione Ven. Fratris nostri... Ostiensis Episcopi, devotione quam ad Romanam Ecclesiam geritis intellecta, tanto ad ea que vestrarum salutem respiciunt & honorem ferventius aspiramus, quanto vos tamquam obedientie filios ad ejusdem obediendum mandatis cognoscimus proniore vos ab his retrahere satagentes, que & famam vestrarum obnubilant, et afferre vobis possent inco modum et jacturam. Sane cum ex studio literarum preter infinita commoda, que sentitis, ex eo vestrarum civitas inter alias sit famosa, et in universo mondo nomen annuncietur ipsius, factaque sit altera Bethlehem, domus videlicet panis qui parvulis frangitur in cadem, ex qua exequunt duces qui regant populum Domini, quoniam in studio eruditi assununtur ad regimen animarum, non solum debitis a scolarium gravaminibus conquescere verum etiam illos honoribus prevenire, attendentes, quod ipse gratuito ad studendum vestrarum preelegerint civitatem, que cum prius esset humilis per eos ibidem congregatis divitiis fere supergressa est civitates provincie universas; verum vos ad hec, sicut ex parte Universitatis ipsorum fuit propositum coram nobis, debitum non habentes respectum, gratiam ipsorum in debitum et libertatem in servitutem molientes reducere, statuistis ut si quis inventus fuerit sectam pactionem vel conspirationem pro studio a civitate Bononiensi ad locum alium transferendo facere vel fecisse; et si Scolaris quispiam vel alius quemquam Scolarem adstrinzerit modo quolibet. quo precipere possit ei ut causa Studii eamdem eczet Civitatem perpetuo banniatur, et omnia bona ejus que Bononie vel in ejus distrituo habuerit publicentur, et eorum tributatur medietas accusanti: preterea Societatem vel Rectores Scolares non permittantur habere, nisi hoc capitulum in eorum juramento ponatur; videlicet quod non dabunt operam, ut Studium ad locum alium transferatur, nec cuquam Scolari precipiant, ut gratia studii abscedat a Civitate predicta et numquam hujusmodi mutabunt capitulum cum consilio vel sine consilio eorumdem; ac si aliquis contrafecerit, modo similis banniatur, et bona publicentur ipsius: Potestas quoque infra duos menses ab ingressu sui regi minus tenaciter predictum Capitulum jurari facere a Rectoribus Scolarium, si qui fuerint, vel infra quindecim dies, ex quo exti terint Rectores electi et in Societatum Scollarium scriptis poni, nec permittant Bononiensem aliquem vel extraneum, nisi primo juraverit quod non leget alibi, extraordiniam aliquam legere

VOL. II (2)
FORM OF CONFERRING DOCTORATE.

APPENDIX. Dectionem. Unde ex his diiectus Filius nobilis vir W. de Pusterla Potestas, vestra occasione assumpta in eos indebitam jurisdictionem usurpans, libertatem ipsorum infringere nititur, et contra eadem pretestu ipsorum pro quorum observatione asserit se jurasse illos in pluribus aggravare. Verum quia Statuta hujusmodi procul dubio sunt iniqua et manifeste obvient Scolasticis libertati, et juramentum super observatione ipsorum præstum non est, utpote illicitum observandum cum nec judicium habeat nec justitiam; eundem W. monendum duximus et hortandum Apostolicis sibi dantes litteris in preceptis, ut Scolares predictos contra libertatem hactenus habitam occasione Statutorum ipsorum, que velut iniqua duximus reprobanda, de cetero non molestet libertatem eandem modo quolibet infringendo, ut studium eorum impediri non possit sed potius floreat ad Dei honorem, ac praefectum Studentium nec non ad ipsius gloriam civitatis, ne si securi attemptare presumpserit nos super hoc cogamur aliud cogitare. Quo circa Universitatem veniam monemus et exhortamur attente quatenus, consideratis utilitatis et honore ex Scolaribus vobis et civitati vestre provenientibus, ipsos caritatis brachii amplissimi, et pretextu Statutorum ipsorum, que dicenda sunt pocus destituta, contra libertatem antiquam et habitam hactenus ipsos nullatenus molestetis, nec faciatis per Potestatem eadem, remisso sibi juramento predicto de cetero molestari, permittentes eodem solita libertate gaudere ut quieto animo possint inhereere Scolasticis disciplinis et nos devotionem vestram possimus in Domino commendare, ne si secus egeritis, quod non credimus, contra voluntatem nostram cogamur faciem nostram vobis ostendere duorem.

Datum Viterbii viii. Id. April. Pontificatus nostri anno quarta.

V.

FORM OF CONFERRING THE DOCTORATE IN UTOQUE JURE AT BOLOGNA.

[From Gaggi, Coll. Bon. Doctorum Origo et Dole, Bononiae, 1710.]

Cum mihi fueratis presentatus in utroque jure examinandum et legitime approbantes per Illustrissimos, et Excellentissimos D.R. (nominando Promotores) Equites auratos, Comites Palatinos, Doctores celeberrimos, et cum unde subieris arduum et rigorosum examen in quo tam docte quam egregie te gesisti, ut cetero ibat Illustrissimorum et Excellentissimorum P.P. nemen petimus, deo petitus disentente te dignum laurea judicaverint, ideo auctoritate qua fungor Archidiaconi hujusque Studii majoris Cancellaria
N.N. in prædictis facultatibus Doctorem creo, publico, et nomino, Appendix. dans tibi omnimodam facultatem legendi, Magistram Cathedram ascendendi, glosandi, interpretandi, et avocandi, neconon omnes actus Doctoris exercendi hic et ubique terrarum et locorum; insuper iis omnibus utendi privilegiis, quibus uti, et frui soleant illa felicis capita, quæ in his almis Collegiis promerita fuerunt. Quæ omnia in tuae augmentum famæ, Collegiorum nostrorum decus, ad laudem et gloriam Omnipotentis Dei et Beatæ semper Virginis Marieæ Collegiorum protectricis perpetuo eventura desidero.

VI.

THE ROMAN MUNICIPIA AND THE ITALIAN CITIES.

(Additional note to vol. I. p. 96.)

Savigny assumed that the Curiae maintained an unbroken continuity throughout the Dark Ages, and that the Cities preserved an autonomy which blossomed into the free Republics of the late Middle Age. The untenable character of this view was shown by Karl Hegel in his Geschichte der Städteverfassung von Italien, Leipzig, 1847, the tendency of which was against any continuity between the old Roman and the medieval constitutions. A judicial summing up of the question is to be found in The Communes of Lombardy from the Sixth to the Tenth Century, by William Klapp Williams (Johns Hopkins University Studies, Ser. IX, Baltimore, 1891), whose corrections of Savigny's far too confident and absolute statements I have accepted. It does not appear, however (so far as I have been able to ascertain), that this generally-received view substantially alters Savigny's conclusion as to the continuance of the Roman Law—at least, of that Roman private Law which carried with it some, at least, of the theories of the Roman Public Law, theories which passed into realities as soon as the old municipal independence revived under altered forms. I have also consulted the work of Charles Diehl, Études sur l'administration Byzantine dans l'exarchat de Ravenne (568-751), in Bibl. des Écoles françaises d'Athènes et de Rome, Paris, 1888, p. 92 sq.

The continuity of the municipal organization in southern France is also denied by Karl Hegel, Städte und Gilden der Germanischen Völker, Leipzig, 1891, II. p. 99 sq.: but in regard to some of the towns of southern France there appear to be more traces of such continuity than in Lombardy.
SECESSIONS FROM BOLOGNA.

(Towns which became permanent Studia Generalia are printed in capitals.

**Ante** 1182. Pillius retires to Modena from Bologna.

1188. Jacobus de Mendia contracts to come to Reggio and bring his scholars with him—probably from Bologna.

1204. Migration from Bologna to Vicenza.

1215. Roffredus of Beneventum secedes from Bologna to Arezzo, in consequence of severe punishment of Lombard v. Tuscan riots.

1222. Migration from Bologna to Padua.

1228. Migration from Padua to Vercelli.

1282. Scholars absolved from an oath which they had taken to leave Bologna for five years (Sarti, I. ii. p. 106).


1316. Migration from Bologna to Argenta.

1321. Migration of nearly the whole University of Bologna to Siena, and to the existing University of Perugia, which obtains *jus ubique docendi* in all Faculties.

1326. Execution of a Bolognese Scholar—Migration to Imola.


This list does not profess to be complete.

VIII.

LEONARD FIBONACCI, THE IMPORTER OF ALGEBRA.

Introduction to his *Liber Abbaci*.

(Additional note to vol. I. p. 243.)

[From Libri’s *Histoire des Sciences mathématiques*, II. pp. 287, 288.]

‘Incipit liber Abbaci compositus Leonardo filio Bonacci Pisanorum in anno 1202.

Cum genitor meus a Patria publicus scriba in Duana Begas pro
pisa(nis mercatoribus ad eum conflu(entibus constitutus prœcesset, Appende:
me in pueritia mea ad se venire faciens, insp(ecta utilitate et com-
moditate futura, ib(i me studio ababc i per aliquot dies ita esse (sic)
voluit et docere. Ubi ex mirabilis magisterio in arte per novem
figuras Yndorum introductus, scientia artis in tantum mihi prae-
cæteris placuit et intellexi ad illam, quod quidquid studebatur ex

ea apud Ægyptum, Syriam, Græciâm, Siciliam et Provintiam cum
suis variis modis ad que loca negotiationis causa pr(ius ea pera-
gravi, per multum studium et disputationis didici conflictum. Sed
hoc totum etiam et Algorismum atque Pictagorâe quasi errorem
computavi, respectu modi Yndorum. Quare amplexctans strictius
ipsam modum Yndorum et attentius studens in eo, ex proprio
sensu quædam addens et quædam etiam ex subtilitate Deusid
geometricâ artis apponens, summam hujus libri, quam intelli-
gibilium potui in quindecim capitulis distinctam componere laboravi,
fere omnia quæ inserui certa probatione ostendens ut ex causa
perfecta quæ prae cæteris modo hanc scientiam appetentes instru-
untur, et gens latina de cetero sicut hactenus absque illa minime
inveniatur.

... ... ... ...

Scricsistis mihi, domine mi et magister Michael Scotte, summe
philosophe, ut librum de numero quem dudum composui vobis
transscriberem; unde vestrae obsecundans postulationi ipsum sub-
tilior prescriptans indagine, ad vestrum honorem et aliorum
multorum utilitatem correxist.'

IX.

THE UNIVERSITY OF PARIS IN A.D. 1204.

(Additional note to vol. I. pp. 293. 356.)

The account given in the Continuation of Rigordus' De Gestis
Philippi Augusti by Guillaume le Breton (wrongly ascribed to
Rigordus himself by Bulæus, III. 49), of the heresy of Almaric
of Bena and the action taken by the University to check it, may
be considered the locus classicus for the state of the University at
this time, and is worth quoting at length:—

'In diebus illis studium literarum floreat Parisius, nec legitimus
tantam aliquando fuisse scholarium frequentiam Athenis vel
Ægypti, vel in qualibet parte mundi, quanta locum prœdictum
studendi gratia incolebat. Quod non solum fiebat propter loci
illius admirabilem amœnitatem, et honorum omnium superabun-
dantem affluentiam, sed etiam propter libertatem et specialem
prærogativam defense'nis quam Philippus Rex et pater ejus arte
tim ipsis scholaribus impendebant. Cum itaque in eadem
nobilissima civitate non modo de trivio et quadrivio, verum et de
queśtionibus juris canonici et civilis, et de ea facultate quæ de
sanandis corporibus et sanatiis scripta est, plena
et perfecta inveniretur doctrina, ferventiori tamen desiderio sacra
pagina et quæestiones theologicae docebantur. Fuit igitur in eadem
sacra facultate studens quidam clericus, Amalricus nomine, de
territorio Carnotensi, villa quæ Bena dicitur oriundus: qui, cum
in arte logica peritus esset, et scholae de arte illa et de aliis artibus
liberalibus diu rexisset, transtulit se ad sacram paginam excolen-
dam. Semper tamen suum per se modum docendi et discendi
habuit, et opinionem privatam et judicium quasi sectum et ab aliis
separatum. Unde et in ipsa theologia ausus est constanter asse-
verare quod quilibet Christianus teneatur credere se esse membro
Christi, nec aliq'uem posse salvari qui hoc non crederet, non minus
quam si non crederet Christum esse natum et passum, vel also
fidei articulos, inter quos articulos ipse hoc ipsum audacter
audebat dicere annumerandum esse. Cum igitur in hoc ei ab
omnibus catholicis universaliter contradiceretur, de necessitate
accessit ad summum Pontificem, qui, audita ejus propositione et
Universitatis scholarium contradictione, sententiavit contra ipsum.
Redit ergo Parisius, et compellit ab universitate confiteri ore
quod in contradictium prædictæ opinioni suæ sentiret: ore, dico.
quia corde nunquam dissensit. Teedio ergo et indignatione affectus,
ut dicitur, ægrotavit, et lecto incumbens decessit in brevi, et sep-
pultus est juxta monasterium Sancti-Martini de Campis' (Bouquet.
Rer. Gall. SS. XVII. pp. 82, 83).

X.

THE ETERNAL GOSPEL.

(Additional note to vol. I. p. 382 sq.)

The idea of a soon approaching new era in which the Everlasting
Gospel spoken of in Rev. xiv. 6 should for the first time be
proclaimed, originated in the writings of Joachim, Abbot of the
Cistercian Monastery of Flora in Calabria († circa 1220 a.d.). The
Everlasting Gospel was not conceived of as a book: on the contrary,
it was to be a Gospel of the Spirit, as opposed to the Gospel of
the Letter, which was contained in the New Testament: and its
exponents were to be Monks. The Old Testament age had been
the era of the Father and of the conjugiati, the New Testament
age was the era of the Son and of clerici. The new era, which was to begin in 1260 A.D., was to be the era of the Spirit and of the Monachi or Spirituales. The Old and New Testaments, forms, sacraments, hierarchies, even active life itself, were to be superseded, or, at all events, transcended, by the new and more perfect way of pure contemplation.

As the fateful year 1260 approached, these ideas gained great currency among the extreme and more enthusiastic disciples of S. Francis; but in the Franciscan interpretation of the 'Eternal Gospel,' what had before been vague, indefinite, and ideal, became precise, concrete, and consequently more unmistakably heretical. In the Apocalyptic Angel flying 'in the midst of heaven, having the everlasting gospel to preach unto them that dwell on the earth,' they saw S. Francis himself. In Joachim's announcement of the new order of Spirituales, they found a prophecy of his bare-footed Order which was, ere long, to supersede Pope, prelates, and secular clergy. The name 'Eternal Gospel,' which had been given by Joachim to the new spirit which was to supersede the period of Sacred books, was applied to the writings of the Abbot Joachim himself, i.e. (1) A Concordia Novi et Veteris Testamenti; (2) his Commentary on the Apocalypse; (3) his Psalterion. In the year 1254 the new Joachimism, in its extremest form, was embodied in the book condemned at Paris under the title of the Evangelium Aeternum. This book consisted of two parts: (1) the Introductorius or Praeparatorium, the work not (as was once supposed) of the Minister-general, John of Parma, but of a Friar in the Paris convent, Gerardus de Borgo San Dominio; (2) the Concordia Novi et Veteris Testamenti, and probably that alone of the works of Joachim, with glosses by Gerard. The first seven of the Errores drawn up by the Parisian Masters (Chartul. Univ. Paris. T. I. pt. i. No. 243, from Matth. Paris, Chron. Maj., ed. Luard, VI. p. 335, and other sources) are from the Introductorius, which is lost; the remaining twenty-four are, as Denifle has shown with his usual exhaustive thoroughness, much garbled and, in some cases, almost unrecognizable versions of passages in the Concordia (Archiv für Litteratur- und Kirchen-Geschichte, I. Heft i. 1885, p. 49 sq.). He has also published the 'process' before the Commission at Anagni, in which the Promoter attempts to disprove the charges against the book, by elaborate citations from Joachim and from the Introductorius and glosses of Gerard. For the very extensive literature on the subject, see Denifle, l.c. p. 51 note. It will be enough here to mention (in addition to Denifle) Renan's fascinating article in Nouvelles Études d'histoire religieuse (ed. 2, Paris, 1884, p. 217 sq.) and the most recent contribution to the subject by Gebhart in L'Italie mystique, Paris, 1890, p. 182 sq.
THE CHURCH AND THE ROMAN LAW.

APPENDIX. X. It is needless to show that some at least of the ideas as to Evangelical poverty lived on, and not only among the heretical Fraticelli. In a letter published by Denifle (Charit. Univ. Paris. I. pt. i. No. 439), the Friars are accused of teaching the 'imperfection' of Christ among other things, because 'carnes comedix vinumque bibit,' while they declared that he did this 'exemplum solum prebens imperfectis.'

XI.

THE CHURCH AND THE ROMAN LAW.

(Additional note to vol. I. p. 323)

The attitude of the Church to the Roman Law has long been the subject of much controversy, especially of quite late years. The controversy has ranged especially round two Bulls:—

(1) The Bull Super speculam of Honorius III in 1219, forbidding the study of the Civil Law (a) at Paris, and (b) to Priests, beneficed clergy, and Regulars. (Denifle, Chart. Univ. Paris. I. No. 32.)

(2) The Bull Dolentes of Innocent IV in 1253 or 1254 (ib. No. 235), forbidding the promotion of a Civilian 'nisi in alis liberalibus disciplinis sit expetens,' and further enjoining that 'cum in France, Anglie, Scotie, Wallie, Hispanic et Hungarie regnis cause laicorum non imperatoris legibus sed laicorum consuetudinibus decidatur,' the Civil Law is not to be taught in them 'si tamen hoc de regum et principium processerit voluntate.'

Père Antonin Danzas (Saint Raymond de Penafort et son époque. Paris, 1815) and M. Charles de Moulon (L'Église et le Droit Romain. Paris, 1887) have contended that the Church was always hostile to the study of the Civil Law, though it ought to have been more so. M. H. Beaume (L'enseignement du droit civil et le papisme en la Revue Catholique des institutions et du droit, 1881) and Father Denifle (Die Entstehung der Univ. des Mittelalters, pp. 696, 704, &c.) deny all hostility to the Roman Law on the part of the Church or the Papacy. The Abbé Péries takes the same view. M. Marcel Fournier (L'Église et le Droit Romain, Paris, 1890), while admitting that there was no permanent hostility or desire to suppress the Civil Law, contends that at this particular time there was a certain hostility to the Civil Law, (1) as interfering with the study of Theology and Canon Law, (a) as unfavourable to the claims of spiritual authority.

The last-mentioned Bull rests solely on the authority of Matthew Paris, Chron. Maj. (ed. Luard, VI. p. 293). Its genuineness is doubted or denied by Denifle, and defended by Fournier. His
arguments do not seem to me to outweigh the force of Denifle’s 
objections: ‘Dubitandum tamen, an hæc constitutio sit authentica, 
non respondet enim actioni ingenioque Innocentii, qui vel in curia 
vel extra eam studium juris civilis promovit, et adhuc anno 1254 
“generale studium theologie, decretalium, decretorum atque legum 
in palatio suo, sicut ubique fecerat, ordinavit.” . . . Ipsum etiam 
dicendi ac scribendi genus in hac epistola minime cum genere ab 
Innocentio in suis epistolis adhibito congruit. Tandem ne vesti-
gium quidem reliquit hæc Constitutio tam generatim, quam in illis 
regionibus pro quibus maxime edita videtur. A nullo etiam, 
Matthæo Parisiensi excepto, adductur, cum tamen Constitutio 
super speculam Honorii III (supra, No. 32), quæ ab omnibus alle-
gatur, statim ubique executioni mandata sit, et Parisiis per aliquot 

This Bull being put aside, the two former prohibitions indicate 
no hostility to the study of Roman Law, (1) except for those whose 
proper study was Canon Law, (2) in one particular University 
specially devoted to Theology and where the study of the Civil 
Law was objected to by the Sovereign. Even this measure of 
jealousy for the study of Theology represents rather the ideas of 
the age before Honorius III, and all these Bulls admit, though they 
deplore, the general addiction of the clergy to the Civil Law. The 
prohibition at Paris was maintained, though its interdiction to 
Regulars and beneficed clergy soon ceased to have much effect, in 
many Orders and places, owing to the frequency of dispensation.

It should be added that Gregory IX limited the scope of even 
this prohibition by a decision ‘quod illi qui habent simplices curas 
animarum (i.e. ecclesias parochiales nisi sinit plebania) non tenetur 
ila constitutione’ (Denifle, D. Univ. d. Mittlealters, l. p. 697).

Denifle’s suggestion (ib. p. 679) that the prohibition of the Civil 
Law at Paris may have been due to the want of space for so many 
students in the Island, seems to me to take rather au grand sérieux 
the rhetorical statement in the Bull with reference to the Theo-
logical students ‘quod coagustatum est illic stratum et sere artus 
est locus ibidem filii prophetarum.’

XII.

THE LIBER DE CAUSIS.

(Additional note to vol. I. pp. 356, 357.)

The following extracts will give some idea of the contents of the 
book:—

‘Quod est, quoniam si intelligentia est semper, quæ non
movetur, tunc ipsa est causa rebus sempiterinis, quæ non de-
struuntur, nec permutantur,' &c. (Thom. Aquin. Opera, iv.
Antwerpæ, 1612, f. 8 a.)

'Quod est, quia si res intellectæ et intelligentia sunt unum, et
intelligentia scit essentiam suam, tunc proeuludbio quando se:
essentiam suam, scit reliquias res, et quando scit reliquas res, scit
essentiam suam' (ib. f. 9 a.)

'Omnis scienz qui scit essentiam suam, est rediens ad essentiam
suam reditioe completa . . . Et hoc non est ita, nisi quia scienz
et scitum sunt res una' (ib. f. 9 b.)

'Substantiae autem factæ in tempore, non assimilantur substantiæ
sempiterinis quæ sunt supra tempus per aliquem modum vel
motum . . . Necessariae ergo sunt substantiae sempiternae' (ib.
f. 14 b).

'Necesse est ergo ut sit res aliqua quæ sit res tertia, media inter
utrasque, cujus substantia cadat sub æternitate, et ipsius actio
cadat sub tempore' (ib. f. 15 a).

THE EXAMINATIONS AT PARIS ILLUSTRATED
BY BOURGES.

(Additional note to vol. i. p. 450.)

The nature of the two Examinations at Ste Geneviève comes
out much more plainly in the Statutes of some of the minor French
Universities, which were based on the customs of Paris, than in
the Registers of Paris itself. The clearest that I have found is the
following Statute of Bourges, probably circa 1468-1480 (from Four-
nier, Statuts et Priv. des Univ. franç. III. No. 1863). It will be
observed how the list of books required has shrunk. Bourges
may well have adopted a lower standard than Paris: but still it is
probable that the requirements of the Faculty even at Paris
(especially at this late date) were always in practice less severe
than on paper:—

'Item, statuimus quod, antequam aliquis accedat ad gradum
licentie, tenebitur audivisse alios quatuor libros Phisiconum, tres
libros De Celo, duos De Generatione, tres primos Meteororum, tres
De Anima, De Memoria, De longitudine et brevitate vitæ, cum sex
primis libros Metaphisiconum et sex primis Ethiconum, cum parte
Euclidis et cum libro De Sphera.'

[For B.A. the Statutes require: 'Isagogæ Porphyrii, Præna-
mita Aristotelis, duos libros Periarmenias, primos Teicorum.
EXAMINATIONS AT PARIS. 743

duos Ethicos ... tres primos Phisicorum cum parte quarti Perier-
menias.'

Item, statuimus quod tenebuntur licentiandi respondere bis
palam et publice, et poterunt esse quinque ad majus in uno die et
in eadem disputatione; tamen sufficent quatuor. Et tenebuntur
respondentes solvere presidenti suo quilibet unum scutum auri.

Item, statuimus quod, his peractis, Facultas deputabit quatuor
magistros qui jam attigerint tertium annum a suo magisterio et
qui non habeant scholares illo anno licentiandos ex sua regentia
propria, qui deputati experimentum capient de sufficientia omnium
licentiandorum. Et jurabunt dicti deputati quod recipiunt suffi-
cientes et repellent insufficientes.

Item, statuimus quod, his sic peractis, ad relatum dictorum
deputatorum sub suis signis manualibus fideliter traditis, cancel-
larius ordinabit dictos licentiandos secundum ordinem sibi per
dictos deputatos datum, preponendo semper meliores et sufficientes
aliis, ut detur studentibus occasio bene studendi, et nemini
fiat injuria pro loco.

Item, statuimus quod, antequam procedatur ad licentiam ipsorum
licentiandorum, artium Facultas congregata ordinabit quatuor alios
magistros a primis, qui in cameris deputatis examinabunt dictos
licentiandos in propriis personis; et si non repererint eos tales
quales primi examinantes retulerint reperiisse, referent Facultati,
sufficientiam allegantes, qua Facultas cognoscat de errore primo-
rum; quos si inveniret errasse, eorum errores poterit corrigerere,
loca mutando aut totaliter repellendo, si videantur insufficientes.

Item, statuimus quod, approbatione vel reprobatione facta per
dictos secundos examinatores, in una sedula ponent suos licenti-
dos secundum ordinem debitum et signata suis propriis signis, et
eam clausam tradent cancellario, cui licitum non erit divertere
ordinem, sed secundum positum ordinem in sedula eos licentiabat.'

From this document, taken in connexion with others, it would
thus appear that the process of taking the degree at Ste Gene-
vieve involved the three following steps:—(1) Examinatio in com-
munibus (so called because the candidates were not at present
divided into camera or batches); an examination into performance
of statutable conditions as well as a literary examination, before
the Chancellor and Examiners, in which the candidates were
divided into camera or classes, and arranged in order of merit
within each camera or auditio. (2) Each camera or auditio was then
subjected to a more detailed examination in the books by the
Examiners of the Faculty (Templatores in cameris or in propriis).
It would seem that these Examiners might, if they pleased, change
the order of the Candidates in the same Auditio (see Fournier, III,
p. 166). (3) The candidates were then sent to the Chancellor, who,
upon the report or depositiones of the Examiners in camera, and
after hearing their formal collationes, admitted them to the Licence
in the order in which they were presented to him. Such at least
was the view of his duty taken by the Faculty, though it is not
improbable that he sometimes rebelled against it, as was constantly
done by the Chancellor of Notre Dame.

At Nantes (1461) there were two Examinations, no doubt more
or less corresponding to the two Examinations at Paris. At the
first of these the 'cedulae' of attendance at lectures, of Deter-
mination, and of Responisons were produced, and the candidates
examined 'per singulos libros.' After this the candidate received
his 'cappa.' At the second Examination he was examined 'parti-
culariter et de specialibus et finaliter de metrisfatura' (ib. No.
1595).

XIV.

THE EARLY TRANSLATIONS OF ARISTOTLE
AND PLATO.

(Additional note to vol. I. pp. 37, 350.)

Boethius is usually credited with translations of all the books in
the Organon. See for instance Prantl, Gesch. d. Logik, I. p. 680:
Teuffel, Hist. of Rom. Literature (E. T. by Wilhelm Wagner), II. 1873,
new ed. pp. 527, 528: and these translations are commonly included
among his works. But the better opinion seems to be the one
I have adopted in the text: see authorities mentioned in vol. I.
p. 25. Valentin Rose (Die Lücke im Diogenes Laertius und der alt
Übersetzer in Hermes, Berlin 1866, I. p. 38a) appears to take the
same view. At all events it is clear—and this is all that is impor-
tant for our purpose—that the translations of the other books
of the Organon, afterwards attributed to Boethius, were quite
unknown from the beginning of the Dark Ages down to the
generation after Abelard.

The authorship of the medieval translation of Plato's Phædo is
discoverable from a MS. of it in the Library of C. C. C., Oxford
(No. 243), in which it is ascribed to 'Euericus Aristippus Cath-
inensis,' also described as 'Cathinensis Archidianaconus.' The same
volume contains a translation of the Meno, which professes to
have been made 'jussu domini mei gloriosissimi Siculorum regis
Guillermi.' The MS. also informs us that the translator had been
requested by Hugh, Abp. of Palermo, to translate Diogenes Laertius.
These facts fix the date to between 1155 (when Euericus became
Archdeacon) and 1166. Other indications narrow it still further
to 1154-1160. The MS. was copied at Oxford by Frederick
FEMALE GRADUATION.

Naghel of Utrecht in 1423, and formed part of Duke Humphry's Appendix Library. Mr. Poole refers me to an earlier MS. of this translation written in the fourteenth century in the Leyden University Library (No. 64). As to Euericus Aristippus, see the article of Rose cited above. For some of these references I am indebted to Prof. Bywater.

XV.

FEMALE GRADUATION AT BOLOGNA, ETC.


The statement as to Battisia Gozzadini is found in no writer earlier than Ghirardacci (I. pp. 158, 159). See Fantuzzi, IV. p. 209; Sarti, I. p. 171. The other stories appear to be equally legendary. See (as to the daughters of Accursius) Fantuzzi, I. 37.

A more authentic instance of female graduation occurs in Facciolati, De Gymn. Patav. Syntagmata, XII, p. 91:

'Postremum nobis publicae Laureae exemplum Venetae matronae praebuit. Anno enim MDCLXXVIII Helena Lucretia Cornelia Jo. Baptistae Marciani Procuratoris filia, cum in Philosophorum Collegio, quae moris sunt, animose strenueque peregisset, in Cathedrali Basilica magisterii nomen et insignia publice accepit, paucis ante diebus adversus Graecum hominem, qui Philosophicas theses proscripterat defendendas, primum Latine, deinde Graecae disputavit, adstantibus nostrae Venetaeque civitatis primoribus. Antequam autem Patavio discederet, scholasticis titulis habituque ornata adolescentes duos Lauream petentes in Collegii aula rite interrogavit. Omnia porro haec cum ad veritatem, non ad speciem et facum, praeittisset, Academici Patavini, qui Recuperati dicuntur, publicam de ejus laudibus exercitationem habere voluerunt. Lubens adfuit. Cumque gratias toti ordini Latino sermone egisset, urbis Rectores, qui concionis praebant, Graecis carminibus laudavit.'

For the early female Doctors of Medicine at Salerno, see above, vol. I. p. 86. Cf. also above, vol. II. 79.
THE VERCELLI CONTRACT.

XVI.

THE VERCELLI CONTRACT.

(Additional note to vol. I. p. 156, and vol. II. pp. 12 sq., 26.)

[From Balliano, Della Universita' degli Studi di Vercelli, 1868, p. 38.]

Carta studii et Scolarium Comorantium in Studio Vercellorum.

THE VERCELLI CONTRACT. 747

Ita quod de istis quingentis hospiciis excipiantur domus, que sunt in strata, in quibus consueverunt recipi et recipiuntur hospites in nuninis Vercellarum, et albergantur per totum annum continue. Item Magistri et scolares hospicia que haberent conducta pro tempore teneantur reddere potestati qui pro tempore fuerit vel ejus nuncio, et si propter rixam vel discordiam vel alien necessarium vel iustam causam ab eis peterentur a Potestate vel ejus nuntio ad voluntatem Potestatis, eis servatis indampnis antequam exeat illa hospicia; ita quod illa hospicia debeant evacuari, postquam petita fuerint a scolariibus arbitrio praecudorem vel iudicio Potestatis, et aptari ad opus studii infra octo dies, et si non facerent infra octo dies, ut supra dictum est, scolares, si voluerint, possint facere necessarias expensas de pensione domus. Item promise-runt predicti Procuratores nomine communis Vercellarum, quod Commune mutuabit scolariibus et universitati scolarium usque ad summam decem millium librarum p. p. pro duobus denariis ad duos annos, postea pro tribus usque ad sex annos, et portabit vel portari faciet commune Vercellarum praedictam pecuniam usque ad quantitatem sufficientem scolariibus ad locum aptum, et totum (tutum?) scilicet Venecias, et ipsum eis debit commune receptis pignoribus, et receptis instrumentis a scolariibus manu publica confectis, quae pignora reddet commune Vercellarum scolariibus precaria cum fuerint Vercellis in hospiciis collocati, recepta idonea fideiussione scolarium et præstitis sacramentis a principalibus personis de reddenda ipsa pecunia, et quod cum ea non recedent in fraudem. Item quod cum scolariis solvent pecuniam sibi mutuatam, quod commune Vercellarum ipsum reservabit in erario communis, scilicet sortem tantum et de ea providebit commune alii scolari indigenti sub eodem facto et simili conditioni, et quod ussure commune Vercellarum non computabit in sortem, et recipietur particularis solutio a scolariibus, scilicet tertie partis, vel dimide, et fiet novatio praedictorum debitorum, vel fidejussorum, vel precariorum. Item quod commune Vercellarum non dimitet victualia iurisdictionis Vercellarum extrahi de comitatu eorum, sed eam asportari faciet in civitate bona fide, et bis in septimana faciet fieri mercatum, et prohibebit quod dicta victualia non vendantur ante tertiam aliquibus qui debeat revendere, exceptis quadrupedibus et blavis et vino, et hoc salvis sacramentis et promissionibus Potestatis et communis Vercellarum de dando mercato specialibus personis, videlicet comiti Petro de Maxino et comiti Ottono de Blandrate et comiti Gocio de Blandrate et comiti Guidoni de Blandrate. Item quod commune Vercellarum ponet in Caneva Communis modios quingentos furmenti, et modios quingentos siccallis ad mensuram Vercellarum, et illam dabat scolarius tantum et non aliis pro
Appendix. eo pretio quo emta fuerit; ita tamen quod scolares ipsam blavam teneantur emere pro pretio quo empta fuerit, quo usque duraverit, et hoc faciet commune Vercellarum tempore necessitatis ad petitionem scolarium. Item quod commune Vercellarum constitutum salarium competens arbitrio duorum scolarium et duorum civium, et si discordes fuerint, stetur arbitrio episcopi. et salaria debeat taxari ante festum omnium Sanctorum. et solvi ante festum Sancti Thome Apostoli, videlicet uni theologet, tribus dominis Legum, duobus decretilis, duobus decretilis, duobus physicis, duobus dialecticis, duobus grammaticis. Ita tamen quod scolares Vercellarum et ejus districtus non teneantur aliqua dona Magistris vel Dominis dare. Ita quod dicti Domini et Magistri, qui debent salarium percipere a Communi Vercellarum, eligantur a quatuor Rectoribus, scilicet a Rector Francigenarum, a Rector Yallicorum et Rector Trotonicorum, et Rector Provincialium juratis, quod bona fide eligent meliores Dominos et Magistros in civitate. vel extra, et substituent eis alios meliores usque ad certum gradum. quos crediderint posse haberi ad salarium, et stabitur electionem trium, si autem tres non fuerint concordes addatur eos qui pro tempore reget in Theologia, promittens in verbo veritatis. quod bona fide eligent meliores de illis de quibus inter Rectores est controversia, et electioni ejus stetur, et omnes prædictae electiones siant infra quindecim dies intrante mense Aprilis. Item qui pro tempore erit Potestas Vercellarum mitet infra quindecim dies post electiones factas de Dominis et Magistris propriis expensis communicis Vercellarum fideles Ambaxatores juratos, qui bona fide ad utilitatem studii Vercellarum queren Dominos, et Magistros electos et eos pro posse suo obligare procurabant ad legendum in civitate Vercellarum. Item quod commune Vercellarum servabit pacem in civitate, et districtu Vercellarum, et ad hoc debat operam Potestas et commune Vercellarum. Item quod nullum scolarem pignorabit pro alio scolari nisi pro eo specialiter fuerit obligatus communi Vercellarum. Item quod si aliquis scolares vel ejus nuncius robatus fuerit in civitate Vercellarum vel ejus districtu sive in alio districtu, quod commune Vercellarum faciet idem pro eo; et ut faceret pro alio cive Vercellarum, dando operam bona fide et fideliter cum litteris et Ambaxatoribus ut suum recipit. Item non offendent scolares, vel eorum nuncio ad eos venientes nec capient propter aliquam gueram; vel discordiam, vel ruinam, quam commune Vercellarum haberet cum aliqua civitate, vel cum aliquo Principe seu castro, sed vel licentiatum commune Vercellarum ipsos, vel affidabit. Item quod commune Vercellarum tractabit in civitate, et in ejus districtu sicut cives. Item quod iusticie exhibitione servetur scolarius eorum privilegia, nisi eos specialiter renunciaverint, et exceptis maleficiis in quibus com-
mune Vercellarum plenam habeat iurisdictionem. Item quod commune Vercellarum habebit Universitati scolarium duos bidello,
los, qui eodem gaudeant privilegio quo scolares. Item habebit commune Vercellarum duos exemplatores, quibus taliter providi
debit, quod eos scolares habere possint, qui habeant exemplantia [exemplaria?] in utroque jure et in Theologia competentia, et cor
recta tam in textu quam in gloxa, ita quod solutio fiat a scolaribus pro exemplis secundum quod convenit ad taxacionem Rectorum.
Item si aliqua discordia orietur inter scolares, commune Vercellarum non favebit aliquam partem, sed ad pacem et concordiam commune
dabit operam. Item quod predictas conditiones servabit commune Vercellarum usque ad octo annos. Item quod scolares vel
eorum nuncii non solvant pedagia in districtu Vercellarum que sint et perveniant in commune Vercellarum. Item Massarios
communis dantes pecuniam scolaribus non habebit commune Vercellarum, nisi duos, et illos non mutabit nisi semel in anno.
Item Potestas Vercellarum, et ipsum commune teneantur mittere per civitates Italie, et alibi, secundum quod videbitur expedire
Potestati vel communi ad significandum studium esse firmatum Vercellis, et ad scolares Vercellarum ad studium immutandos [invita
undos?]. Item predictas conditiones commune Vercellarum ponet in statuto civitatis Vercellarum, et Potestas, qui pro tempore fuerit,
lurabit eas servare in sui principio, sicut certa statuta civitatis, et faciet iurare suum successorem, et ita successive usque ad octo
annos, et nullo modo de statuto Vercellarum usque dictum terminum sive octo annorum ante extrahantur, et super iis omnibus
duo instrumenta uno tenore confecta fiant. Item promiserunt predicti Rectores et scolares eorum nomine et nomine aliorum
omnia scolarium de eorum rectoria predictis procuratoribus nomine communis Vercellarum, quod bona fide sine fraude
dabunt operam, quod tot scolares venient Vercellis, et morentur ibi in studio quot sint sufficiences ad predicta quingenta hospicia
conducenda, et quod universum studium Paduæ veniet Vercellis et moretur ibi usque ad octo annos; si tamen facere non poterint,
non tencantur. Item quod fuit de eorum concordia quod Domini vel Magistri vel scolares non debeant advocari in aliqua causa
in civitate vel districtu nisi pro scolaribus vel pro suis factis, vel eoram delegatis ab utroque Principe vel in foro ecclesiastico
eoram ecclesiasticis personis. Item quod Domini vel Magistri vel scolares vel Rectores non crunt in aliquo facto vel consilio in
detramento civitatis Vercellarum, et si sciverint aliquem vel aliquos facere vel tractare aliquid contra honorem et statum communis
Vercellarum bona fide prohibebunt ne recedant et Potestati Ver
cellarum quam citius poterint manifestabunt.

Item promiserunt, quod non capient partem aliquo modo inter


Dr. Cogo (Intorno al trasferimento d. Univ. d. Padova, Padova, 1899 has questioned the genuineness of this document, but his reasons seem to me quite inadequate.

XVII.

PAPAL DEGREES.

From a very early period we find the Pope interfering with the ordinary working of the academic system in order to confer degrees upon favoured individuals. One of the earliest instances occurs in 1218, when Honorius III specially directed ‘Petro et Capua, Willelmo] de Ponte Arce et Ricardw Anglico [sometimes identified with Richard le Poor, afterwards Bp. of Durham] doctoribus Parisiensibus,’ to examine Matt. de Scotia, and if found sufficient, to admonish the Chancellor of Paris to license him in Theology. In other cases, the Bull merely dispensed the candidate from some of the statuteable conditions, e.g. directed that he should be admitted at once to the reading of the Sentences. It became a regular system to grant this privilege to Friars who had received, or were supposed to have received, the earlier stages of their theological education in Convents outside the Universities and who were sent to Paris simply to graduate. At other times the Papal Bull authorized certain ecclesiastics not only to examine but to actually confer the Master’ship upon the candidate. (Wadding, Annales Ordinis Minorum, VIII. p. 585; X. p. 477.)

By the fifteenth century such Commissions to confer degrees, whether permanent and general, or simply ad hoc, had been largely multiplied. Thus the Statuta Artistarum of Padua, Venice, 1596 (f. xxviii a) recite that ‘plerique uel paupertate coacti uel alia causa induti quumi non possint uel nolint ex aliqua causa se subiicere examini clarissimi collegii in artibus medicinae baccalariarum.'
uel doctoratus gradum sumunt ab aliquibus qui ex apostolica uel
imperatoria auctoritate facultate[m] et priuilegium habent huius-
modi baccalarios uel doctores creandi. The Statute goes on to
enact that nobody in the Paduan territory is to take such degrees
without paying to the University the fees which he would have
had to pay for graduating in the regular way.

So in England (Rot. Claus. Ric. II. 14 m. 32) the King complains
that certain Dominicans ‘in lege duina minime approbati seu
instructi set apotastate (sic) et notorie viciosi et... per ordinem
predictum carceribus condemnavi mare transeunte gradum sibi
magisterii ac alias gracias exemptorias subdole ac fraudulenter
impetrant et procurant.’

Complaints of the multiplication of these Doctores bullati might
be produced to any extent.

I have seen the statement that in post-medieval times the right
of granting degrees was charitably bestowed by the Pope as
a source of revenue upon monts de piété! But I have not been
able to verify this allegation.

It appears that the Emperor likewise (but more rarely) exercised
the right of making Doctores bullati, and even delegated it to
others, e.g. the Count Palatine (Itterus, De honoribus sive gradibus
academicis, pp. 134 sq., 347).

XVIII.

SCHOOLS IN LONDON.

There was never a University in London; but it is interesting
to observe that there was a kind of loose Association among the
Masters of its various Schools of exactly the kind which elsewhere
developed into a University. This development never took place
at London, because the Schools were only Schools of Grammar
and Logic. The following account of them is given in Fitz-
Stephen, Description of London [ed. Pegge], London. 1772, pp. 62-65
(written circa 1174-79): ‘In Lundonia tres principales ecclesiae
[S. Paul’s, S. Martin’s, S. Mary Arches] scholas celebres habent
de privilegio et antiqua dignitate. Plerumque tamen favere per-
sonali alicujus notorium secundum philosophiam plures ibi scholae
admittuntur. Diebus festis ad ecclesias festivas magistri conventus
celebrant. Disputant scholares, quidam demonstrative, dialectice
alii: hii rotant entymemata, hii perfectis melius utuntur syllogis-
missis. Quidam ad ostentationem exercentur disputacione quae est
inter collectantes; alii ad veritatem, quae est perceptionis gratia.
Sophistae simulatores agmine et inundatione verborum beati

F f 2
SCHOOLS IN LONDON.

judicantur, alii paralogizant. Oratores aliqui quandoque orationibus rhetoris aliquid dicunt apposite ad persuadendum, curantes artis praeterea servare, et ex contingentibus nihil omittere. Pueri diversarum scholarum versibus inter se convixantur; aut de principiis artis grammaticae, vel regulis pretoritorum vel supinorum contendunt. Sunt alii qui in epigrammaticis, rythmis et metris utuntur vetere illa trivialis dicacitate; licentia Fascennina scele, suppressis nominibus, liberius lacerant; laedorias jaculantur et scommata; salibus Socraticis sociorum, vel forte majorum, via tangunt; vel mordacius dente rodunt Theonino audacibus dithyrambis. Auditores

"multum ridere parati
Ingeniant tremulos naso crispante cachinnos."

Blackstone declares that 'King Henry the Third. in the nineteenth year of his reign, issued out an order directed to the Mayor and Sheriffs, commanding that no Regent of any law schools within that city should for the future teach law therein' (Commentaries, I. 23). I have been unable to trace this document, which is not in the Patent or Close rolls of that year. Part of it is preserved by Coke (Institutes II. Proem.), from whom no doubt Blackstone took it: 'Quod per totam civitatem London. clamari faciant et firmiter prohiberi, ne aliquis scholae legibus in easdem civitates ex eis ipse leges doceat. et aliquis ibidem fecit hujusmodi scholae tenens, ipsum sine dilatatione cessare fac. Teste rege &c. 11 Die Decembris, anno regni sui decimo nono.'

The teaching aimed at may have been teaching in the Laws of England, and may in that case have been intended as suggested by Pearce, Hist. of the Inns of Court, London. 1848, p. 18, as a measure of protection for the Inns of Court, which lay of course outside the city boundaries. Or—perhaps more probably—it may have been an attempt to teach the Civil Law. The study of Roman Law was so vigorous in England at the end of the twelfth and beginning of the thirteenth century, that an attempt to teach it in London would have been extremely probable. But for the opposition with which the attempt was met, it is probable (i. that we should have had a University in London, (ii) that the Common Law would have been profoundly modified by an enormously greater infusion of Roman Law than any that has actually taken place.

LAW STUDIES AT OXFORD IN THE TWELFTH CENTURY.

Twyne (MSS. XXII. p. 164) gives an extract from some lost portion of the work of Giraldus Cambrensis, no doubt the burned portion of the Speculum Ecclesiae:

‘In altero MS* qui continet opera quaedam Sylvestri Gyraldi, viz. eius Distinctiones libris 4. Ubi in praefatione ad librum primum distinctionum suarum sic loquitur Gyraldus:

“Proinde etiam verbum illud quod apud Oxonienses nostris diebus a clerico quodam cui nomen Martinus, qui et Bononiæ in legibus aliquandi studuerat et literis tamen ante a prouectus fuerat, pauperistis quorum ibi tunc copia fuit, dum pauperum S. liber ille sic dictus in pretio stetit, responsum erat, hic recitare præter rem non putavimus. In quodam enim scholarium conuentu non modico ubi et causæ coram iudicibus ventilabantur et controversiæ cum aliis cunctis qui aderant aduocatis qui contra ipsum omnes esse consensuserant et ipse quoque contrarius uniueris, lex una que contra ipsum expressa videbatur, obiecta fuisset et clamantibus cunctis et insulantibus per hanc legem Martine salies sicut et symiæ saltandi dici solet perque legem istam velis nolit salum facies,’ curialiter ab ipso, mordaciter tamen et lepide satis responsum est in hunc modum: ‘Si saliendum est mihi, saliam quidem, sed saltum quem vos fecistis omnes et (?) cum animaduerterem scilicet usque ad Imperatoriam maiestatem si nempedebeatis et corpore medii, nec feci reuera nec faciam.’”

The passage is paraphrased by Wood, Hist. et Antiquitates Universitatis Oxon. I. p. 56 (copied by Holland in Collectanea, II. p. 176); but the above is clearly the actual text.

The allusion to the ‘imperatoria maiestas’ seems to betray the origin of the story. It is probably one of the numerous stories told about the disputes between Martinus and the other Bologna Jurists (cf. above, vol. I. pp. 255, 259) at the Court of Frederick I, which Giraldus, consciously or unconsciously, transferred to Oxford in much the same way as University stories are transferred from Oxford to Cambridge, and from one great personage to another, at the present day.
ARISTOTLE IN OXFORD.

XX.

ARISTOTLE IN OXFORD.

(Additional note to vol. I. pp. 38, 350 sq.; II. p. 531.)

The following is from the unpublished Compendium studii Theologiae of Roger Bacon (MS. in the Library of University College. Oxford, No. XLVII. pt. i. ad fin.: I owe the reference to Twyne MSS. XXII. p. 228):—


XXI.

HONORIUS III AND OXFORD.

The following Bulls, in which allusions occur to the Chancellor of Oxford, have never yet been printed.

Twyne gives the following account of a Bull which is not found in the published Registers of Honorius III (MSS. XXIII. p. 67):—

‘Bulla Honorii papæ, dat. Laterani 3a Cal. Aprilis pontificatus sui a° 5a, in qua M. W. Scoto Archidiacono Wygorn., Cancellario Oxon., nec non Willemo Rectori Ecclesiae de Cercecell potestatem facit cognoscendi causas decimarum de diversis parochias Osmycensibus debitaram, necnon testium qui decrepitii et senesiam erant in cautelam futurum examinandorum; deinde subjicitur illorum summumitio Rectori Ecclesiae de Beketo ut intersit recop-
tioni huiusmodi testium si velit in erastino Octabarum Apostolorum Appendix
Petri et Pauli anno ab incarnatione domini 1221.'

Except that Twyne continues:—

'Hæc omnia in uno eodemque scripto extant ubi simul cum illa
summonitio recitatur bulla illa predicta papalis, et in fine illius
chirographi sic habetur:

"Et in huius rei testimonium presenti scripto sigilla nostra
apposuimus, hæc autem a nobis duobus facta sunt quoniam tertius,
scilicet Cancellarius, de quo in literis Apostolicis facta est mentio
tunc temporis in rerum natura non fuit."

This notice appears among 'Excerpta ex variis chryographis et
chartis tunc Prioratus S. Frideswydæ tunc Monitorii Osney, in
chartario Ecclesie Ædis Christi Oxon.—sub aula eiusdem collegii.'
As far as I can ascertain, the document must be lost.

There is a marginal note: 'Vidi tamen aliud scriptum ad hanc
ipsam formam, Walteri scilicet Archidiaconi Wygorn. et Cancellarii Oxon.
sub sigillis suis de hac ipsa materia et absque sigillo
Decani Oxon., a° domini 1221 die lunæ proximo post festum
sanctæ Frideswydæ super decimis de Kencote et Nutorne.'

A Bull is preserved in the Archives which runs as follows
(S. E. P.—Y. 2):

'Honorius episcopus servus servorum Dei diletis filiis . . .
Archidiacono Wigornensi et . . . Cancellario et Decano Oxonie
Lincolnensiis dioecesis Salutem et Apostolicam benefictionem.
Ex parte . . . Abbatis et conventus de Oseneia fuit nobis humiliter
supplicatum ut cum ius percipiendi decimas in diuersis
parrochis ex canonica concessione obtineant ab antiquo, illos qui
facti huiusmodi habent notitia cum ualitudinarii siit et senes ne
ueritas occultetur et probationis copia fortuitis casibus subrahatur
recipi ad testimonium faceremus, Nos autem discretioni u[estre] per
Apostolica scripta mandamus quatinus huiusmodi testes idoneos
quos iidem Abbas et conuentus uobis duaxerint presentandos
diligenter examinare curemus et eorum dicta in publica faciatis redigi
munimenta, denuntiando illis quos huiusmodi causa contingat ut
receptionis testium si uelint intersint et super denunciatione sic
facta faciatis confici publicum instrumentum. Quod si non omnes
hiis exequendi potueritis interesse duo uestrum ea nichilominus
exequantor. Dat. Lateran. m° Kal. Aprilis Pontificatus nostri anno
quinto [March 30, 1221: Seal missing].

The executorium is in S. E. P.—Y. 3. Other documents of the
same kind and date, once in Pix Y 7, are lost.

A Bull about a similar tithe-dispute, referring it to the Prior
of S. Frideswyde, the Dean of Oxford, and the Chancellor of
Oxford, in 1231, with the decision of the delegates, is preserved
XXI.

CONFLICT IN OXFORD, 1338.


XXII.

CONFLICT BETWEEN MASTERS AND SCHOLARS
AT OXFORD, 1338.

(See above, vol. II. pp. 397, 398.)

'Quidam conflictus contigit Oxoniæ die sabbati in festo S. Benedicti Abbatis anno eodem (scilicet anno 1330) inter Magistros Oxoniæ tam Regentes quam non Regentes ex una parte et communitatem scholasticum eiusdem ex alia; eo quod quidam scholares insolentes qui nolebant antiquis universitatis legibus circa pacis conservationem et perturbatorum pacis positionem ab antiquo usitato obedire liberius solito pacem perturbare volebant, unde et multitudinem juvenum sibi ad resistendum suis magistris illicite adunabant. In ipso autem conflictu ex utsueque parte quamplures vulnerati erant, et quidem interfici ; tamen victoria cessit scholasticus 3° nonas Aprilis, videlicet die Veneris proxima ante Dominicum in Ramis palmarum.'

These are copied by Twyne (MSS. XXII. p. 366), as 'excerptum ex quodam veteri chronic quo od olim pertinuit ad ecclesiam Lichfeldensem,' with the note 'Chronicon unde haec nota desumpta est, pertingit ad annum domini 1347. Ibi etiam multa habentur de ecclesia Lichfeldensi.' There is also a marginal note 'Mr. Allen,' but I have been unable to find the MS. among Allen's MSS. contained in the Digby bequest to the Bodleian, or to trace it elsewhere. There must be some mistake about either the year or the day: the dates given would be possible in 1338.
AN OXFORD 'FORMA.'

XXIII.

AN OXFORD 'FORMA.'

The following fragment, which has not been printed before, deserves preservation. It occurs in Twyne, XXII. MSS. 163 sq., being copied by him from a MS. which it would be difficult or impossible now to trace:

['In altero MS quo sic incipit utrum a sphæris coelestibus continue mutabilibus, &c., vbi sic lege] :

Hæc est forma inceptoris in artibus Oxoniæ, videlicet :

Liber Metaphysicorum per annum (connumerando dies festos).
Liber Ethicorum per 4 menses integros (con. dies fest.).
Geometria per unam septimanam integrum (non con. d. f.).
Algorismus per 8 dies
Sphaera per 8 dies
Compositus per 8 dies

{ non. con. d. f.

Arithmetica Boetii per 3 septimanas integras (non con. &c.).
Priscianus magni voluminis vel Liber Politicorum vel 19 libri
de animalibus communerando Libros de motu et progressu
animalium auditur per 6 septimanas integras non. con.
Priscianus de constructionibus partium.
Liber cæli etmundi per terminum anni.
Liber Metheororum per terminum anni.
4" Libro Topicorum Boetii.

Item oportet quod legat 2 libros logicales ad minus, unum de veteri Logica et alterum de nova vel ambos de nova et unum de libris naturalibus, videlicet libros 4 cæli et mundi vel 3" libros de Animalibus, 4 libros Metheororum vel duos libros de generatione
et corruptione vel librum de sensu et sensato cum libris de memoria
et reminiscientia, de somno et vigilia vel librum de motu animalium
cum duobus minutis libris naturalibus.

Item oporteat (sic) quod bis respondeat et quater arguat in solenni-
bus disputacionibus Magistros nec non disputando ad quod-
libet, videlicet bis questioni et semel problemati. Item jurabit
ante licentiationem quod provisum est sibi de scholis pro anno in
quo debet regere.

Item oportet quod unum librum Aristotelis, textum videlicet
cum questionibus, in scholis publice rite legat.'

Twyne XXI. 761 copies a similar 'forma' from the end of a MS.
entitled 'Algorismus in prosa,' in the Merton College Library
(which I have failed to identify):

'Nota quod hæc est forma Inceptorum in Artibus :
Imprimis 4 libri Meteorum (sic).
THE SEE OF LINCOLN, 1173-1209.

APPENDIX.
XXIII.

Item 4 de coelo et mundo.
Item 4th Topicorum Boetii.
Amarchat.
Item Algorismus.
Item computus cum sphæra.
Item Arithmetica cum Geometria.
Item Liber Ethicorum.
Item XII de Animalibus.
Item 10 Libri Metaphysicæ.

XXIV.

THE SEE OF LINCOLN FROM 1173 to 1209.

The vacancies alluded to in vol. II. p. 354 were as follows:—
1173. Geoffrey Plantagenet, natural son of Henry II, was elected and confirmed, but never consecrated. He resigned Jan. 6, 1182.

See vacant one year and a half.

1182. Walter of Coutances (Archdeacon of Oxford) was consecrated on July 3, 1183, and translated to Rouen in 1184.

See vacant two years.

1186. S. Hugh was elected Aug. 10 and consecrated Sept. 21, 1186. He died at the end of 1200.

See vacant nearly three years.

1203. William of Blois was elected in 1201, and consecrated in 1203. He died in May, 1206.

See vacant three years and a half.

1209. Hugh Wallis or Wells was consecrated Dec. 20, 1209.

XXV.

LOST COLLEGES AT OXFORD.

A. Burnell's Inn or London College.

London College may perhaps be considered an exception to what has been said above (vol. I. p. 573) as to the non-extinction of any Oxford College founded in the medieval period. It is, however, as will be seen, an exception which proves the rule. This College has, indeed, perished so completely, that its existence has been quite unrecognized by most of our University historians.
The indefatigable Twyne, however (MSS. XXIV. 588), tells us that, when Edward I expelled the Jews from England, their Synagogue in Oxford, with other adjoining buildings, was bought by William Burnell, Archdeacon of Wells and brother of the better known Robert Burnell, Bishop of that See, and was by him turned into a Hall for students, known as Burnell’s Inn. So far it might appear that this was a mere endowed Hall, and that the Archdeacon’s purchase was simply an investment of money; but the following passage from the Chronicle of Mailros would seem to indicate that the Hall was meant as a habitation for the College maintained at Oxford during his lifetime by the purchaser’s brother, Robert Burnell, Bishop of Bath and Wells. After speaking of the establishment of Balliol College, sub anno 1270, the Chronicler proceeds:—


Licence for an Oratory was granted in 1291 (Lincoln Reg., Sutton, f. 25).

There is no evidence that the Bishop endowed the College; and, after his death in 1292, ‘Burnel’s Yn’ became an ordinary Hall again, coming in 1307 into the possession of Balliol College (Wood, City, I. p. 155).

In the time of Henry IV, however, Richard Clifford, Bishop of London, acquired the Inn, and turned it into a College, henceforth known as London College, for a body of scholars whom he provided for during his lifetime, and to whom he left at his death in 1421 a sum of 1000 marks. This sum was not, however, to be invested in land—then the only possible form of permanent investment. The executors were simply directed to pay £40 a year to the scholars as long as the money lasted. When this sum came to an end, the College must have been left without endowment; though, as the scholars were presumably in possession of the Hall and paid no rent, the corporation must, it would seem, have survived, and vacant places been filled up by election. It remained as a College, with no endowment but its buildings. These are said to have been destroyed by Wolsey to make way for Christ Church.

The following is an extract from Bishop Clifford’s will:—

‘Item, lego mille marcas pauperibus scolaribus meis presen-tibus et futuris Oxonie in hospicio meo vocato Burnell commorantibus siue commoraturis et sociis dicti hospicii perseuerantibus et perseveraturis: ita quod de dictis mille marcis per executores meos Magistro et sociis antedictis pro eorum sustentacione
quadrarginta libre annuatim ministrentur, quosque summa
dictarum mille marcarum sic ut predictur sit soluta et plenarie
consummata.' (Lambeth Reg., Chich. i. f. 347.)

The College was still extant in 1425, when we find a rental or
payment 'de Johanne Hertipole modo tenente magistri et scho-
larium de quodam hospitio nuper vocato Burnell's Yn modo
Lundon College pro tenemento nostro,' &c. (Wood, City, ii. p. 88).
This passage is important as showing that the Master and scholars
had a corporate existence and held property. We hear of London
College as late as 1616 (Archives, Reg. G. 6, f. 316 b), a statement
which it is difficult to reconcile with Twyne's account of its fate.
Wolsey may have bought the Hall, but not destroyed it.

B. S. Peter's House (?).

A document is printed in Wood, City ii 497, from the Register
of Bishop Burghersh at Lincoln authorising the collection of als
on behalf of the 'pauperes domum S. Petri Oxon. inhabitantes.'
This may conceivably have been a 'domus pauperum' of the type
mentioned above, p. 657, but there is nothing to prove that the
house was for scholars.

XXVI.

RELICS OF THE ANCIENT AUTONOMY OF THE
OXFORD HALLS.

The following formal account of the admission of the present
Principal of St. Mary Hall, the Rev. D. P. Chase, D.D., is a copy
(which I owe to his kindness) of the entry made at the time in the
Register of the Hall.

This day at two o'clock p.m. the Rev. Drummond Percy Chase.
Master of Arts, Fellow of Oriel College, was admitted Principal
of this Hall in the presence of Edward Rowden, D.C.L., Registrar
of the University and Notary Public.

The Aulares present were--

Masters of Arts, two.
Bachelors of Arts, three.
Non-Graduates, seven.

Form of Admission.

The Rev. D. P. Chase was, at two o'clock p.m., conducted by
the Vice-Chancellor and Bedels to the Dining-Hall.

The Vice-Chancellor addressed the Aulares, stating that he was
come in obedience to a letter, received on the day previous from the Chancellor of the University, to announce his Lordship's nomination of a Principal in the room of the Rev. Philip Bliss, D.C.L., lately deceased.

He next read the following passage from the Statuta Aularia, I. § 4. 1:—

"De Principalibus aularum eorumque substitutis.

Statutum est quod ad regimen aularum assumantur viri ætate matura et morum gravitate venerandi; saltem Magistri in Artibus, vel in Jure aut Medicina Baccalaurei; qui ad nominationem domini Cancellarii ab aularibus eligantur, et per Vice-Cancellarium ad praefecturam et regimen admittantur."

He then read the letter of the Chancellor nominating to the vacant Principalship the Rev. Drummond Percy Chase, and submitted the nomination to the Aulares, by whom it was unanimously approved.

The Rev. D. P. Chase then took the Oaths of Allegiance and Supremacy, and the oath further prescribed by the Statuta Aularia, I. § 4. 2:—

"Quod Principales . . . observari faciunt."

The Vice-Chancellor then made the admission in the following words:—

"Domine Principalis ego admitto te ad praefecturam et regimen Aulæ Beatae Mariæ Virginis," and, having briefly congratulated the Principal and the Aulares and made a cursory inspection of the Plate belonging to the Hall [a complete inventory of all the property being required, by the Statuta Aularia, I. § 6. 1, 'Statutum est . . . juxta verum valorem satisfacere,' to be deposited with the Registrar of the University] he returned, accompanied by the Principal, to his own lodgings.

Dec. 5, 1857.

D. P. CHASE, Principal.

The only other trace of self-government left in the still valid Laudian Statuta Aularia is the provision (§ 273) that any of the moveables of the Hall may be alienated, if of less value that 40s., 'cum consensu majoris partis graduatorum' (§ 6. 2). If the value exceeds 40s., the consent of the Vice-Chancellor is required. I may add that even this scant recognition of the Society's autonomy seems scarcely consistent with the theory devised by modern lawyers, according to which the property of the Halls is held in trust for them by the University. The fact is that the Hall is a survival from a time when the modern notions about the incapacity of Collegia to hold property without incorporation
by the State had not been developed: our lawyers have accordingly not known what to make of the institution.

Dr. Chase's reply to my enquiries as to the ownership of the site and buildings of St. Mary Hall is perhaps worthy of preservation, as illustrating the position of a Hall as a community occupying a House which is not its own.

' The Buildings constituting the Quadrangle of St. Mary Hall are in three holdings.

1. In the centre of the North side is a tenement, of two storeys, containing three sets of rooms, for which the annual Rent of Sixteen Pounds two Shillings is paid to Oriel College.

2. Adjoining this tenement on the East are Buildings,
   (a) of two storeys, containing three sets of rooms;
   (b) some "offices" behind the Quadrangle and not visible from it.

These are held from the Under-tenant of Magdalen College, originally at an annual Rent of £35; but since Michaelmas, 1852, £45.

3. The whole of the Eastern, Southern, and Western sides, and so much of the Northern as adjoins the Oriel tenement (1 above) are held of Oriel College at an annual Rent of £3. They include the Lodgings of the Principal.'

I have some recollection of having heard from the late Provost of Oriel that a lease of this last-named portion (3) was in existence and that it contained power of re-entry by the College if the property should ever cease to be applied to Academical use.

Under the Statute for the Union of Oriel College and St. Mary Hall, June 16, 1881 (page 321), Sections 1 and 2, this question will drop, 'on the first vacancy in the office of Principal of St. Mary Hall.'

All the Halls are doomed to extinction except S. Edmund Hall, which is placed under the government of Queen's College, by which the Principal has always been appointed.

For the election of Principals by the students in the London Inns of Chancery, as late as 1584, see Pearce, Hist. of the Inns of Court, p. 63.

XXVII.

THE CAMBRIDGE COMMENCEMENT.

The following is extracted from Gunning, Ceremonies of the University of Cambridge, London, 1828, pp. 120-125, as an illus-
tation of one of the last survivals in Europe of the ancient Appendix
Inceptio or Principium (see above, vol. I. pp. 229 sq., 285 sq.) —

COMMENCEMENT DAY.

On the Commencement Day, the Doctors in all Faculties and
the Masters of Arts are created by their respective Fathers.
The bell begins to ring at nine o'clock.
The noblemen wear their robes, the Doctors their scarlet
gowns.

When the Professors are ready, a Bedell directs the commencing Doctors in Divinity to put on their copes, and the commencing Doctors in Law and Physic to put on their robes.
The School-keeper gives printed copies of the forms observed
at Creation to all Commencers; and to all Doctors in Divinity
he gives the form of Profession.

A Bedell arranges the commencing Doctors according to the Seniority assigned them in a list given to him by the Professors in the respective Faculties.

He then precedes the Professors of Divinity, Law, and Physic, to the East end of the Senate-House, where the commencing Doctors are waiting.

He then precedes the Professor of Divinity, with his Sons, to the Vice-Chancellor's chair, the Professors of Law and Physic following with their Sons.

The Professor of Divinity then takes the chair, his Sons standing before him according to their Seniority, and the two Proctors take their places with their caps on.

The Senior Proctor taking off his cap, addresses the Professor in these words:

Venerande Pater ad Creationem.
The Professor makes his speech.
The Senior of the commencing Doctors then places himself at the right hand of the Professor, and turns himself towards the Senior Proctor, who says to him:

Domine Doctor incipe; and, at proper intervals,
Ad Oppositionum.
Pone dextram manum in manum Doctoris.
Dubes fidem de observando Statuta, Privilegia, et Consuetudines
hujus Academic approbatis.
Pone manum super librum.
Jurabis de continuatione Regiminis tui in biennium. Jurabis etiam
quod extra hanc Universitatem nusquam, praetertquam Oxoniis, in illa
Facultate incipies, aut lectiones tuas solemnner resumes; nec consenties
THE CAMBRIDGE COMMENCEMENT.

ut aliquis alibi in Anglia incipiens hic pro Doctore in illa Facultate habeatur.

Determinabis questionem in aurem Doctoris sedendo.

The Proctor then says, Ad Professionem.

The Doctor reads his Profession from the printed paper.

The Proctor says, Exito: after which the Doctor leaves his place.

The other Doctors of Divinity are created, separately, in the same manner.

The other Professors, who have Sons, make their Speeches and proceed to Creation, as above; except that the Ad Professionem is not used.

Towards the close of the Speeches of the Professors, they introduce the ceremonies of giving their Sons the book, &c.

The book delivered by the Professor of Divinity is the Greek Testament; that delivered by the Professor of Law is Justinian's Institutes; that by the Professor of Physic is the Aphorisms of Hippocrates.

If any Persons are to be created Doctors of Music they appear in the habit of Doctor of Law.

The following Graces have been passed upon such occasions:

*Placeat Vobis, ut A. B. Musices Professor, bona venia cum vestra intret ad prae mentandum C. D. ad incipiendum in Musica.*

*Placeat Vobis, ut J. C. W. Musices Professor intret in habendum Doctoris in Jure Civili ad prae mentandum A. B. ad incipiendum in Musica.*

*Cum in Academia nullus sit in Musica Doctor, Placeat Vobis, ut A. B. Senior Procurator, istiusmodi Doctoris munus pro hac vacuerat suppleat.*

The Professor, standing before the Vice-Chancellor's chair, says to each of them:

*Authoritate mihi ab Academia commissa, Ego, J. R. hujus Academiae in Musica Professor, credo, saluto, pronuncio te Doctorem in scientia Musica.*

The Senior Proctor then takes the Father's seat, and the Junior Proctor, sitting at the table, says:

*Honorable pater, ad Creationem.*

The Bedell then calls from the Seniority list, made by the Proctor:

*Magister A. Collegii—*

The Proctor reads on, *Ponite dextram manum in manum Magistris.*

*Dabis fidem de observando Statuta, &c. [ut supra].*

*Ponite manum super librum.*

*Jurabis de continuatione Regiminis tui in quinquennium, &c. [ut supra].*
THE UNIVERSITY OF SALISBURY.

XXVIII.

THE CHANCELLOR AND SCHOLARS OF SALISBURY, 1278.

The following is the agreement between the Sub-dean and the Chancellor of Salisbury alluded to above, vol. II. p. 396. It is taken from the Liber Ruber (f. 99) in the possession of the Bishop; to whose Deputy-Registrar, Mr. A. R. Malden, I am indebted for discovering the document which I knew only from the imperfect copy given by Caius, De Antiq. Cantab. p. 110.

'Die mercurii viii Idus Martii anno domini [De iurisdictione Cancellarii Sarum.] MCCCC septuagesimo VIII° presentibus in capitulo Saresberiensis dominis Waltero Decano, Domino Johanne precentore. Simone Cancellario, Nicolao thesaurario, Stephano Berkensi et Henrico Wites'. archidiaconis, Willelmo Subdecano, Johanne succentore, Willelmo penitentiario, Hugone de penne, Galfrido de Muleborn., Willelmo de Brimpton, Canonices Saresberiensibus: Cum de iurisdicione inter scolares in Ciuitate Saresberiensì studiorum causa commorantes exerceenda inter Cancellarium et subdecanum predictos, quorum uterque iurisdicionem ipsum ad suum officium pertinere dicebat, dissertio quedam exorta fuisset, tandem habito super hoc tractatu in capitulo die ipsa de utriusque expresso consensu conuenuerunt in hunc modum—vide licet quod dictus dominus Cancellarius, ad cuius officium pertinet scolás regere, inter omnes scolares, cuiuscumque facultatis existant, studiorum causa in ciuitate ipsa commorantes, qui tanquam scolares certi doctoris, cuius scolás frequentant, recommendationem et testimonium habeant, de contencionibus ciuilibus et personalibus que pecuniarum interesse respiichert, et scolasticis omnibus contractibus et eciam si laicus aliquem huiusmodi scolarium in consimilibus causis impetere voluerit, cognoscat et diffiniat et presbyteri ciuitatis decreta et precepta eiusdem cancellarii in his exequi teneantur. De alii uero clericis et qui extra studium certi Doctoris scolas minime frequentantes ibidem moram fecerint, et de scolariibus ipsis, si forsan de lapsu carnis seu delicto alicui ibidem commisso quod ad correccionem pertineat et salutem respiciat animarum, vocati fuerint, subdecanus ipse, qui est archidiaconus ciuitatis, iurisdicionem et corrccionem habeat, exceptis tamen vicariis et clericis maioris ecclesie tam studentibus quam alios, in quos Decanus cum capitulo et non alius ipso presente et Subdecanus similiter cum capitulo Decano.
A DAY’S WORK AT LOUVAIN.

absente, secundum hactenus obtentam ecclesie consuetudinem, omnimodam iurisdictionem et cohercionem exercebunt: ita quod Cancellarius ipse per se nullatenus intimittat de eisdem.

This agreement is immediately followed by a deed of Giles [de Bridport], Bishop of Salisbury (1236-1262), founding a College for a small community of scholars, to be called the Scholares de Valle Scholarium (‘domum in usum et perpetuitatem scolarium: qui vallis scolarium vocabuntur’) with the consent of the Dean and Chapter and also of the brethren of the Hospital of S. Nicholas at Salisbury, the College being situated before the said Hospital between the Cathedral and the King’s highway. It was to provide for a Warden and twenty ‘honest and docile poor scholars studying ‘in divina pagina et liberalibus artibus.’ The Warden is given ‘cohercionem plenariam . . . tam in temporalibus quam spiritualibus’ within the house and its precincts, with an appeal to the Dean. The foundation of such a College, though it does not absolutely prove the existence of a Studium Generale, tends to corroborate it.

XXIX.

A DAY’S WORK AT LOUVAIN IN 1476.

(Additional note to vol. II. pp. 653, 654.)

The following is from a Ducal ordinance for Louvain in 1476:

‘Curabunt tutores, ut scholares de mane surgant hora quinta et tunc ante lectionem quilibet per se legat et studeat leges in ordinaria lectione legendas, una cum glossis . . . Post lectionem vero ordinariam missa, si voluerint, celeriter audita, venient scholares ad camaras suas et revidebunt lectiones lectas, commemorando et memoriae imprimendo ea quae tam verbo quam scripto a lectionibus reportarunt. Et inde ad prandium venient . . . Prandio fines libris ad mensam unicumque delatis, repetent omnes scholares unius Facultatis simul, tutore præsente lectionem illam ordinariam in qua repetitione servabit tutor illum modum, ut per discuticijuscecumque interrogationes concipere possit. An quilibet ipsorum lectionem bene audiverit et memoriae commendaverit, et ut lectio per partes a singulis recitandas reportetur; in quo si diligentissima cura adhibebitur, sufficiet tempus unius horae.’ (Molanus. Hist. Louvain. Libri XIV; ed. de Ram. Acad. Roy. de Belgique, Bruxelles 1861. II. p. 930).

Then follows preparation for the Evening Lecture, the Lecture itself, while the two hours before supper are devoted, the first
to a private study of the Lecture, the second to a 'repetitio' with the tutor. After supper, 'interponet tutor jocum honestum per medium horam et disputationem levem et iucundam per alteram medium horam, et inde mittet ad dormiendum. Et diebus non legibilibus, exceptis dominicis, fier post prandium circularis disputatio in qualibet tutela et alia exercitia pro providentia et discretione tutorum' (ib. p. 941).

Tutors have power to subtract wine or flesh.

XXX.

STATUTES OF THE OXFORD HALLS, 1483-1489.

These Statutes are not dated, but there can be little doubt that they are identical with the Code drawn up by the Chancellor with the 'advice and consent of the Congregation of Masters and of the Principals of Halls' (see above, pp. 467, 625). The volume in which these are contained is at present an uncatalogued MS. in the Bodleian Library (marked Rawlinson Statutes 34). The volume also contains, (1) the Statutes of S. Mary’s College and (2) of the College of S. George (see above, p. 653). A copy of the S. Mary's Statutes, which had long disappeared, was recently discovered by Mr. Shadwell, Fellow of Oriel, but the two other Codes appear to have been unknown to all previous writers:—

'Ordinaciones' et statuta edita per dominos Cancellarios huius [f. 1.] alme Vniuersitatis nostre pro tempore existentes ex discreto et maturo ausamento et concensu venerabilium cetus magistrorum ac principalium aularum ibidem ad utilitatem et profectum scolarium, aularium studencium in eadem.

Statuta de deo ab aularibus colendo serviendo et regraciando.

In primis statutum est quod nullus sustineat aliquem errorem vel conclusionem postquam de non tenendo eam sibi fuerit silencium impositum per principalem vel eius substitutum, sub pena tociens quociens iiijd.

1 The marginal notes are in a later hand. The often repeated 'nota' has been omitted. As to the date, cf. Mun. Acad. p. 358.
APPENDIX. XXX.

1 Item quod quilibet sit ad altam missam matutinas et vesperas in ecclesia parochiali in singulis diebus festivis nisi ex legittima causa per principalem approbata vel eius substitutum, sub pena quadrantis.

Item quod nullus iuret ac vultur iuramentis nisi requisitus fuerit ad iurandum in iudicio iusticia et veritate, sub pena oboli.

Item quod quilibet infra aulae existens cotidie audiat missam et dicat matutinas et vesperas secundum exigenciam sui ordinis velcondicionis, sub pena oboli.

Item quod quilibet specialiter assit in aula singulis diebus sabato et quinque vigilijis beate mariae immediate post primam pulsacionem ignitiegij in ecclesia beate mariae quando cantatur antiphona beate mariae omni excusacione postposita, nisi grauis infirmitas aut alia racionabilis causa prius per propriam personam alligata et per principalem approbata cum excusauerit, sub pena quadrantis. Et si venerit post incepcionem clausule 
\textit{unde presse,}

etcetera quando cantatur 
\textit{Ave regina, vel post incepcionem clausule per illud ave}

quando cantatur 
\textit{Benedicta, vel post incepcionem clausule resurrexit}

quando cantatur 
\textit{Regina celci, seu post incepcionem clausule ipsa stella}

quando cantatur 
\textit{Stella celci, vel post incepcionem clausule quia genuisti}

quando cantatur 
\textit{Sancta mara consimiliter ut absens punitur.}

Item quod primus sedens in mensa primas gratias, et postierius secundas gratias in singulis dicat refectionibus, sub pena quadrantis.

Item quod quilibet in mensa, vtrasque gratias deo deute fundata quod nullus gratias risu, garulatu, strepitu aut alio quouissimo impediat, sub pena quadrantis.

Item quod nullus sedens in mensa antequam gratiarum actiones deo altissimo reddantur ab eodem recedat, sub pena quadrantis.

Item quod quilibet aularis intersit singulis sermonibus universitatis diebus dominicis in pleno termino in ecclesia beate marce predicandis nec non alijis sermonibus universitatis infra primum tum dici consuetudinis principalis sui vel eius substitutum monicionem sub pena quadrantis.

Item quod quilibet tempore prandij seu cene diligenter et pacifice attendat lecturam biblie vel alterius libri per principalem limitandi, sub pena oboli.

\footnote{1 Item ... puniatur' is erased in MS.}
\footnote{2 posterius' erased.}
\footnote{3 collegiorum' is written above.}
Statuta de honeste convivendo et bene gerendo.

Eciam statutum est quod vnusquisque tam propter honorem aule in qua degit quam sui ipsius in moribus honeste se gerat ita quod nulla loca de inhonestate suspecta exerceat neque viris diffamatis committere se associet neque aliqui de malo faciendo seu dicendo conseniat quosismodo, sub pena iijd.

Item quod nullus ludum aleatorum tabellarum vel ad pilam manualem, artemve gladij bimanualis seu bokelarie aut aliquem alium ludum inhonestum pacis perturbatium, studij subtractium, exerceat, sub pena tociens quociens iijd. [infra precinctum collegij sive extra.]

Item quod nullus fabulaciones iniquas aut garuaciones inho- nestas verbave turpia aut scurrilia bonos mores corrumpencia proferat infra precinctum aule, sub pena quadrantis, toties quocies.

Item quod si aliquis aliquod crimem vel delictum tam graue De infra- ad extra committat vt sit infamatus ad infra vel comminitas in eius persona scandalum verisimiliter paciatur, ipso facto nouerit se ab aula expulsum.

Item quod quilibet spaciatus in villam vel campos secum si poterit vnnum sociorum capiat suorum vt associatus securius et honestius transeat quam si solus exeat, ac vt cum eo eciam doc- trina sit pocior et fama integrior, sub pena quadrantis.

Item quod cantu, clamore, vociferacione, instrumento musico aut quouis genere tumultus vel strepitus nemo sociis quo minus studere aut dormire veleant [sic], impedimentum affertat, sub pena quadrantis.

Item quod quilibet aularis tempore yemali ante horam octauam et ante horam nouenam in tempore estiali infra aulam existat, sub pena jd. Ita quod de post sub cadem pena non exeat illa nocte.

Item quod nemo aularis infra vniuersitatem vel eius suburbia Examinate- tur quod nullus subsistente extra aulam suam pernoctet, sub pena iijd.

Item quod nemo extraneum secum pernoctantem habeat infra aulam sine lisencia a principali petita et obtenta, sub pena iijd.

Item quod nullus extra lectum proprium cum aliquo soci celebra absque licencia principalis petita et obtenta iaceat, sub pena jd.

1 'tabellarum' erased.
2 'infra ... extra' in a different hand.
3 'tocies quocies' in a different hand.
Item quod nemo cameram alienam sociis eisdem camere prolibentibus aut socio illius vno prohibenti ingrediatur, sub pena j.d.

Item si quis extra vniuersitatem proficisci se constituerit, s.antequam vniuersitatem egrediatur suum decessum principal: denunciet et locum ad quem iturus est licenciam ad hoc petendo sub pena vjd.

Item quod nullus aularis cameram aut partem camere infra aulam nisi ad limitacionem principalis occupare presumat, sub pena expulsacionis ab eadem.

Item quod nullus aularis aliquam causam domesticae correctionem non excedentem, saltem infra aulam terminabilem, ad forinsecum tribunal trahat; hoc est quod nullus socium aut semi-comminarium siue seruientem communem occasione aut recepto cuiusuis extra aulam quomodolibet molestare presumat neque ad hoc concilium det aut fauorem, principali ad hoc concensum non prebente, nisi talis sit causa que tantummodo a domino cancellario fuerit terminanda, sub pena ijs.

Item quod nullus dicta vel communicata infra precinctum aule vel quocunque alia secreta que in euentu ad dispensiun vel infamiam eisdem aule aut aliquius in ipsa commorantis redundare possit(sic) alieui reuelat, denudet aut deuelget ad extra nis fuerint talia in quibus dominus cancellarius merito est consulendus, sub pena xijd.

Item quod nullus inducat aliquem extraneum ad refecionem lectorum, antiphonamve sabatinam aut aliquem alium aularem actum communem sine licencia principalis, sub pena ijd.

Item quod nullus aularis tempore communium gaudiorum si absens sed quod eis suam exhibeat presciam, sub pena principali reseruata.

Item quod omnes et singuli aulares ad campos aut alia loca quocunque propter recreacionem commodum aut honorem communatis aliquius aule per principalem ad transeundum montis illuc insimul incedant ac inde pariter reueriantur, nullo eorum domi tunc remanente nisi racionali causa subsistente, ex licencia principalis, sub pena ijd.

Item quod quilibet aularis suo principali tamquam suo superior et gubernatori debitum impendat honorem, et neque nutu, verbo signo vel facto ipsum aliquatenus vilipendendo; nec contra ipsum in malum conspirabit aut fedus iniet, set ei in su officij execucionem humiliiter continue parebit, sub pena expulsacionis ab aula et denunciationis eisdem domino cancellario pro rebelli.

Item quod quilibet aularis vnicuique aliis sociorum suorum secundum gradus et status sui exigenciam deferat honorem presertim illi qui in gradu et scienza decoratur, sub pena iiijd.
Statuta de pace ab aularibus servanda.

Ac eciam statutum est quod nullus aularis palam, publice vel occulte verbo signo vel facto, concilio fauore vel auxilio occasionem litis, discordie, brige vel discensionis generet, suscitet, mouet aut procuret, seu comparaciones odiosas patrie ad patriam, generis ad genus, nobilitatis ad ignobilitatem, facultatis ad facultatem, quomodolibet faciat aut alleget. Nec in verba prorumpat opprobiosa unde de verisimili briga poterit inter socios oriri. Neque aliquem sociorum suorum alio nomine quam suo proprio cognito contumeliose aut derisorie nominet quoquismo; sub pena tociens quociens vjd.

Item quod nullus infra precinctum aule socio suo aut seminomario seu batellario famulove communi de damno inferendo minetur. Nec arma inuasiua seu defensuia publice vel occulte gerat nisi ad remota statim iturus fuerit vel a remotis de nouo venerit nec cadem in ira vlo modo contra aliquem predictorum leuct aut extrahat, sub pena xijd. et amissionis eorumdem preter satisfaccionem partis lese.

Item quod nullus infra precinctum aule socium suum, seminomarium seu batellarium, famulumve communem pulset, percuciet aut verberet, cum pugno, lapide vel aliqvo alio instrumento eorum aliquam [sic] sitra sanguinis effusionem, sub pena iijs. iiiijd.; sicut nec vsque ad sanguinis effusionem, sub pena vjs. vijjd. et amissionis dicti instrumenti tociens quociens contingat preter satisfaccionem partis lese. Et si hoc ipsum itauerit ab aula sit expulsum.

Item quod nullus ad mensam cultellum euaginatum deferat sub pena tociens quociens quadrantis, [videlicet cum procuratoribus non sine licentia rectoris] 1.

Item quod nocte contra pacem et statuta vniuersitatis nemo vagetur sub pena expulcionis ab aula. [Sic debet esse 'videlicet cum procuratoribus set non sine licentia rectoris id est principalis sui'] 2.

Item quod quilhet scolaris trutatus seu discolus, scolas non frequentans, vagabundus, securruagus, errabundus de nocte, fornicarius, latro, communis pagnaror, portator armorum, seminariar discordiarum, conuentulator discensionum inter personas aut communitates, fautor. receptator vel manutentor malefactorum, aut delinquens, contumax et iuri parere recusans. seu quvisis irretitus crimen accusacione dignissimo, sua mala conversacione Vniuer-

1 'videlicet . . . rectoris' in a different hand.
2 'sic . . . sui' in a different hand.
Statuta de exercicio studij ab aularibus servando.

Eciam statutum est quod nullus aularis in alio ydecomat quam latino, nisi illiterato aut extraneo, preterquam gaudiorum tempore et festorum principalium infra precenctum aule quomodolibet loquatur, sub pena tociens quociens quadrantis.

Item quod quilibet tam legi infra quam leccionem suam recitato congruis temporibus ad hoc assignatis teneatur, sic videlicet quod lectoram matutinam in aula et post meridianam recitacionem eiusdem quilibet in facultate sua diligenter et attente obseruendo: quorum quilibet qui alteram partem pretermissert vnius denario pena coercatur.

Item quod in communicacionibus et disputacionibus vnusquisque socium suum pacienter sustineat; quod si quis aliquod desideriorum verbum in socium protulerit, eius scieniam, ingenium vel rationem deprauando vel quoquomodo odiosam comparacionem occasione communicacionis sciencialis fecerit, per quam pax forsas et tranquillitas aule perturbari possit seu doctrina omittii. sub pena ijd. aut maioris summe secundum discretionem principalis punatur.

Item publice lecture tam ordinario quam extraordinario secundum morem sue facultatis quilibet scolaris omni die legibili diligenter cidem attendendo intersit, sub pena quadrantis.

Item quod nullus scolaris standing aut sedendo in domibus laicorum aut vicis, studio relictio, oeciosum se prestet, sed quod quilibet tali in alii temporibus utra tempora predicta lectorum occupacionibus studiosis aut communicando cum alii aut disputacionibus publicis vel priuatis interessendo aut per se studendo absque aliius temporis perdicione se diligentissimum adhiebeat, aut alii occupacionibus in termino pro tunc fuerit prepeditus. sub pena ijd.
STATUTES OF THE OXFORD HALLS.

Item quod bacallarij arcium quique in suis habitibus disputac-

cionibus solemnibus\textsuperscript{1} magistrorum et bacallariorum omnino

intersint. Atque quod omnes et singuli eorum in disputacioni-

bus aularibus secundum cursus suos problemnata seu questiones

teneant et eis respondeant, sub pena ijd.

Item quod quilibet sophista per se vel per alium de rationabili

causa impeditus per alium subrogatum suas vices ad supplendum

cursu suo sophisma teneat siue sermonem ac eciam tali consi-
militer respondeat; et hoc horis debitis eas minime posteriando,

sub pena ijd.

Item quod quilibet sophista vice alterius tenetur sophisma vel Proaristis

sermonem tenere vel ad huiusmodi respondere dummodo ad hoc

sit aptus et congruo tempore monitus, sub pena oboli.

Item quod quilibet sophista contra responsalem in sophismatibus

et sermonibus in suo ordine replicet in morando; quosque singuli

suas compleuerint replicationes, sub pena quadrantis.

Item quod nullus sophista tempore sue lecture aut recitationis

seu sermonis disputati rabeat, garrulet, strepitum seu tumultum

faciet quouimodo, sub pena quadrantis.

Item quod quilibet senior sophista quolibet die quo fit lec-
tura in leccionibus cum suis communicet iunioribus, sub pena

oboli.

Item quod quilibet sophista lectus in aliquo tractatu vitra com-
munem tractatum quolibet die quo peruisum\textsuperscript{4} tenetur eidem intersit
diligenter attendens vbi quilibet generalis sophista semel ad minus

in quolibet termino replicet, sub pena oboli.

Statuta de regiminibus in refeccionibus.

In primis statutum est quod vnumquisque post preconizacionem [f. 5.]
pulsacionem campane aut cornuflatum ad aliquam refeccionem,

videlicet prandium et cenan, ad eam absque more dispendio

veniat lestinanter ne alias ferula diuidantur in preuidium com-
munitatis et ipsius tarde venientis, sub pena quadrantis.

Item quod nullus causa prandendi, jantandi, cenandi aut batel-

landi aut quaus alia causa promptuarium ingrediatur aut coquinam,
nisi gratia computandi seu in defectu famuli communis seruiendi

aut alicuus cause rationabilis per principalem approbata (sic), sub

pena quadrantis.

Item quod nullus ad aliquam refeccionem accedere presumat

postquam in ea omnibus sedentibus de ciphis seruiatur neque ea

vice in aula coquina vel promptuario se reficere presumat, nisi

\textsuperscript{1} M.S. solemnis.

ACTUS SOLASTICO QUO MINUS CIECIUS AD IPSAM REFECCIONEM VENIET POTERIT ID MOSCATUR FIUSE, SUB PENA QUADRANTIS.

ITEM QUOD POSTEQUAM SECUNDUM FICLEMENT FICIENCE ABALATUM A MESSIA NULLUS MAPPAM TARDECONS ALIUS PROXIMUS SE REFINAT IN DETRIMENTO COMMUNITATIS, NISI BATELLANERIT AUT SOLVERIT PRO SUPERNEJECET ET POTU POSTECA SUPRATIS, SUB PENA QUADRANTIS.

ITEM QUOD NULLUS AULARIS ALICUIUS AULE IN QUI PONUNITUR COMMUNE EXTRA COMMUNIARIIS EXISTAT, NISI PROPER ALIQUAM UNMITATUBUS MANIFESTAM SUORUM EXTRANEORUM PRESENTIAM ET ALIAM CAUSA NACIONIBILEM PER PRINCIPALMET APPROBATAM, SUB PENA IUD.

ITEM QUOD QUILIBET SOLARIS POTENS IN BONIS PONECRE COMMUNES HABITANS IN AULA IN QUI COMMUNE NON TENETUR, IN ALIQUA VICEIN PLUS CONGRUA VHI COMMUNE ET LECTURA IN SUA TALITUR HABENTUR SIT COMMUNIARIUS; NEC NON STATUITS AULARIBUS AC PRINCIPIBUS IHIDEM IN OMNIBUS ET SINGULIS CUM INHABITANTIBUS COM EQUITATIS SIT SUBJECTUS. NEC NON QUOD OMNIA ET SINGULA ONERA AULARIAE SUEA SUE PARTI INCUMBENTIA CUM QUIDOSECUMQUE PENETRABILIBUS SI QVAS TRANSGRATIUS STATUTA INCURAT, INTEGRAS ASCISSAS SOLUTAS, AUT IPSO TALITUR EA NON SOLVENTE HONORUM SUORUM WILK SORUM IN PREDICTA AULA COMMUNAS NON HABENTE INCUMBENT.

ITEM QUOD NULLUS IN COMMUNIS AUT BATELIS PANEM AUT POTI AUT PORCIONEM SVAM PISCEM SVAM CARNIUM HABET EXTRAM AULARIAE IN VILLAM ALIQUOD SVORUM DISTRUCTA QUAEISMODI, NEQUE ETRO FRAGMENTA, SEC ILIA SVRRINTIBUS SVL PAUPERIBUS CROGIENTIS SVL LICENTIA PRINCIPALIS SVLIENTA, SUB PENA TOCIENS QUOCENS TAD.

ITEM QUOD VBI QUES ABSCENS FECIT MAEENA SIBI RESERVA CARNES SVNE PISCES VSCRE AD PROXIMAM REFECTIONEM SVN REFESSIONEM AD HOC PRECEDENTE. ET OXAM PRO PANEM ET POTI QUADRAT RETINT; ATTAM IN CARNES SVNE PISCES VSCRE AD OXAM REFEX MANEQUIUS SVMSI NON TACTUR CUSTODIRE, SEC DE EIS DEPOSITA UTILITATE COMMUNAUTATIBUS MEIUS QUES POSSIT. ET SI DICERE SVT IN OSTIAM SUBSEQUANT TUNA ULTRA SVORUM OCTAMAT E SVNE TES NULBAMUS CUSTODIANTUR SEC AD VITATatem DEPOSITA COMMUNEM.

ITEM QUOD CARNES SVNE PISCES PERCINIONI ALICUIUS IN ALTIQUO REFECTIONE SVNE PORTATIBUS SVMSI VOLUNTATE AD MENSAM DELATOS ET POSTU MONTREAT TRASFERAT, SEC HUMANITATUM OMNIA SVDEPOSITA SVS COMMUNIARIUS ESTRANJANTS, SUB PENA QUADRANTIS.

ITEM QUES QUILIBET MESSIANUS AD MENSAM SEDENS IN DIA NONA EXTRAECE HAT IAD. ALIO DIC NON ICUMVENI SOLATI PLANOQUE AD OBSCUM ET PROCEAD OBSCUM.

MS. 'TODEN.'
Item quod post horam octauam in die Jouis de refectionibus non habitis per septimanam precedentem aut minutis imparibus fiat nulli commensali allocatio sed tunc in vitellatem communem conuertantur.

Item quod quilbet aularis si per tres refecciones continuas seu interpollatas in cadem ebdomada in villa permanserit ad minus semicomminarius existat, sub pena xijd.

Item quod vnuquisque aularis habeat discos de propriis; alio-quin terminatim soluat communis jd. obolum.

Item quod nullus occupet aut occupari faciat in suo negcio singulari aut priuato ciphum, discum, parapsidem, acetabulum, ollam, celaria, candelebra, mappas, aut res communes quascum-que, seu ea in sua camera detineat per vnam noctem nec extra aulam exportet, sub pena quadrantis.

Statuta de aulis, gardinis et alijs locis publicis servandis honeste.

In primis statutum est quod nullus deturpet aulam rabiando vel luctando, cirpos aut stramina subuertendo, aut super storia discurrendo, sub pena quadrantis.

Item quod nullus mappam effusione liquoris intingendo vel scindingo aut alio inepto modo deturpet, sub pena quadrantis.

Item quod nullus sculpturam, picturam, scissuram, puncturam, aut aliuu deforme in mensa, pariete, hostio, vel fenestra faciat, sub pena quadrantis.

Item quod nullus sportum gardinum[ve] quouismo modo inhoneste deturpet super herbas decurrendo, eas aut frangat aut asportat, sub pena oboli.

Item quod die limitato seu diebus limitatis per principalem ad reparandum gardinum omnes aulares sint presentes et circa id ad vitellatem et honorem aule efficaciter prout eis iniuungitur laborent.

Item quod quilbet eorum partem gardini secundum limita- tionem principalis sibi ad faciendum assignatam congrue excolat [f. 6b.] et custodiat, sub pena ijd.

Item quod nullus infra sportum seu gardinum vnam emittat aut effundat, fecese cibarioorum deponat, nec alibi infra precinctum aule preterquam in locis ad hoc deputatis, sub pena ijd.

Item quod quilbet frangens vitreas fenestras aut alias res necessarias infra aulam aut aliquam cameram suis propriis exspensis eas ad mandatum principalis illico reparare tenetur.

Item quod nullus manus suas in situla fontis lauare presumat, sub pena ijd.
Statuta de officij communium seruiicium.

In primis statutum est quod singuli seruiientes sua fideliter et diligenter exercent officia pro suis posse et scienia ad commodum et profectum communem, tam in emendo necessaria ad communem quam in custodiendo et preparando ea. Ita videlicet quod omnem penitus remoto amore, fauore, timore et lucro mancipium ibi et a talibus talia emat victualia et alia necessaria pro communis vbi et quando et a quibus ac que probabiliter credit melius et vitias vtilitati et honestati communie expedire. Et quod ex delibe proposito a principio nec ex postfacto mancipium emat aut disponat vt vnum ferculum maius sit aut melius altero vt sic omnia commensalibus equaliter seruiere poterit, sub pena jde.

Item quod nichil semel ad communiteit deputatum aliqua servicioum cuidam det aut alienet in prejudicioum communiei nec ad hoc det consilium auxilium aut fauorem, sed diligenter illac conseruet ad utilem communem pariter et disponat.

Item quod seruiientes diligenter obsessent horas prandij, bibere et cene debitas ac consuetas eisdem personaliter interessendo, si quod, si debita aliiuis refectionis hora non fuerit, in defecto eorum aut eorum alterius, vt congruit observata pena renunt duorum denarium qui ipsorum in hac parte culpabilis est repentus et hoc tociens quociens.

Item quod mancapium ciphos mundos et honestos consueret seruisiam ab eisdem post quamlibet refectionem finitam confessior evacuando, aulam et promptuarium simili sub forma honesta custodiat. Et cocus conformiter coquinam et sportum seruet et si quisquam ex eis aliquo eorundem culpabilis fuerit toccen quociens solvet communiae quadrarem.

Item quod mancipium quolibet die hostia sui officij serere vt oportet teneatur, et cocus barelos debite mundare, sub pena quadrantis.

Item quod mancipium seruet per se vel per alium promptuarum post cenam et ab hora cene vsque ad horam nonenam ISO. nocte, sub pena quadrantis.

Item quod si seruiientes communes scient probabiliter aliquas discordiam ortam aut de verisimili orituram inter aliquos magistrum suos aut vnum de magistris suis et alium, ex qua sequi posse pacis subuersio si statim non extinguat, illam principali quattuor cito commodo poterint secrete intimabunt, sub pena vjd. hemi ciam si scient aliquod dampnum communiate intullisse. illud ex principali integre denunciabunt, sub pena tociens quociens vjd.
Item quod batellarius quisquam in refectionibus comminarijs de victualibus seruiat antequam se ad reficiendum transeat, sub pena ijd.

Item quod omnia secretaria aularia que licet decet et expedit secreta remanere nullus seruiencium communium alicui ad extra referat aut reuelet, sub pena vjd.

Item quod nullus pro aliquo defectu seruentem redarguet aut obiurgetur, nisi prius principalem pro eius correccione sit allocutus, sub pena tociens quociens iiijd.

Item quod nullus occupet aut occupari faciat seruentem communem in suo negocio pruoato tempore quo vacaret et seruiet communi utilitati absque consensu communi et sui principalis, sub pena arbitrio principalis assignanda.

Statuta de solucionibus debitorum per aulares servanda.

In primis statutum est quod quilbet aularis tam magistro vel doctori suo in ordinarijs lecturis atque bidello sue facultatis, secundum exigenciam sui status vel gradus, tempore consueto quantum consuetum est cumularet (sic) quam principali suo pro sua lectura aulari iuxta antiquum morem aut convencionem satisfacere in fine cuiuslibet termini teneatur, sub pena expulsionis et honorum suorum arestacionis nec non denunciacionis eiusdem domino cancellario pro rebelli.

Item quod in fine cuiuslibet termini aliquo certo die per principalem limitato vnusquisque aularis eidem de sue camerse pensione et pro salarijs seruiencium communium cum alijus oneribus consuetis integre persoluet qulbuscumque, sub pena expulsionis et honorum suorum arestacionis per principalem faciende et retinende quousque satisfecerit nec non denunciacionis eiusdem domino cancellario pro rebelli.

Item quod quilbet aularis cameram aut partem camere per se aut res suas occupans, aut habens cameram sibi reseruatum in aliqua aula, contribuciones ad lumen sancti Nicholai et capicium cocii nec non alia communia onera aularia subeat supportet et soluet, sub pena expulsionis et honorum suorum arestacionis per principalem faciende et retinende quousque satisfecerit nec non denunciacionis eiusdem domino cancellario pro rebelli.

Item quod vnumquisque aularis pro communis suis aut alijus rebus emptis per mancipium pro suo eidem ad minus in fine cuiuslibet mensis integre satisfaciat, sub pena expulsionis ab aula nisi aliqua rationabili causa secum per principalem cum consensu mancipij dispenderat.

\footnote{ad . . . nicholai erased.}
Item quod trahens moram per mensem alicuius termini in aula cum reliquis sociis suis per totum terminum ibidem morantibus mancipio et coe coequiliter solvat stipendium.

Item quod quilibet occupans cameram aut partem cameræ per se vel per res suas in festo sancti Dionisij mense octobris pensionem cameræ eiusdem aut partis eiusdem pro termino illo integre persolvat; licet ante festum Natalis tunc proximi futuri dictam cameram aut partem eiusdem dimiserit. Et si in festo sancti Hillary cameram huiusmodi occupauerit aut modo consimili retinuerit residuum pensionis terminorum anni illius fideliter solvat, ad quod faciendum per arestacionem bonorum suorum et expulsionem nec non denunciacionis (sic) eiusdem domino cancellario vt pro rebelli puniatur.

Statuta de impositore et eius officio.

In primis statutum est quod quilibet die sabati post gloriosæ virginis antiphonam decantaratem et biberium completum auditaque racione impositoris ebdomade tunc finite, unius alius sociorum deputetur aut duo deputentur in impositorem, suum officium tota septimana ex tunc immediate futura continuaturum, qui idem officium recepere (sic) et exequi tenetur sub pena ijd., qui post illud susplicium, si tunc contingat ipsum illa septimana abesse, alium vicem suas pro tempore sue absencie in eodem officio suppleturum officiumque huiusmodi executurum pena sustineat sub eadem: cuius officium est quod quilibet pro vice sua qua limitatur esse imposiçie soliciete et diligenter explorat omnes et singulos contra aliquod predictorum statutorum delinquentes cum suis delictis et excessibus atque eos nemini pariendo audacter de suis delictis moneat et imponat atque eos et eorum delicta in fine sue septimane in redire rationis de suo officio principali publice notificet et declararet et cetera alia faciat vt superius est memoratum que suo incumbit (sic) officios.

Item quod nemo impositori pro sui officij execucione eadem irascendo indignatur (sic), minas contra eum aut contumelias quomodolibet inferendos, sed quod monicioni et imposicioni eius abaque contradicence licet monitus humiliter pareat prout decet ipsum gratuiiter ferendo, sub pena ijd.

Statuta de dictorum statutorum observacione execucion e declaracione et dispensacione.

In primis statutum est quod principalis omnia et singula statuta predicta que ipsi cum sociis alijs communiter obsesura pertinet ad exemplum suorum aulaeum strictissime seruisit, nec non abs quoscumque aulares unius ras prefata ordinationes que illores custodire interest observare compellat, atque omnes defectus in
omnibus contrauenientibus eisdem statutis repertos corrigendo omnibus contrauenientibus eisdem statutis repertos corrigendo omnibus contrauenientibus eisdem statutis repertos corrigendo omnibus contrauenientibus eisdem statutis repertos corrigendo

penas debitas absque remissione exequatur.

Item quod si aliquis contra aliquod predictorum statutorum deliquerit et penam limitatam pro violacione eisdem die per principalem statuto non soluerit aut subire seu implere recursauerit, ipso facto xijd. amittat communitati, ultra penam in huiusmodi statuto in quo deliquerit [?] contentam, et ab aula et communitate eius auctoritate principalis et communitatis sit expulsus. Si [f. 9.] execucioni alicuius predictorum statutorum seu execucioni vel leucioni pene pro violacione alicuius eorumdem restiterit, aut correccionem alicuius delinquentis contra aliquod eorum improderit, seu contra aliquam predictarum ordinacionum fedus inerit seu conspirauerit, eadem pena puniatur: atque, in quocumque casu istorum extiterit reus, illum principalis cum suo excessus pro obstinato domino cancellario denunciat.

Item quod cum omnibus memoratis statutis principalis causa racionabili subsistente dispensandi et penas eorum discrete commutandi habeat potestatem ceteraque omnia et excessus in illis non expressa suo etiam arbitrio cohereendi, nisi talia sint que correccioni domini cancellarij sunt reseruata.

Item quod vnumquisque scolarius manens sub magistro, tutore, aut creditore subeat in noctibus sabatinis publice correccionem corporalem, aut alias multam pecuniariam pro suis excessibus contra prefata statuta, factis denunciatis aut alias notoriis, a principali infligendum (sic) non obstante quod magister suus, tutor, curator aut creditor suus tunc dixerit se illos excessus correxisse aut se paratum esse ad corrigendum illos.

Item quod si aliquis casus vel aliqua ambiguitas in aliquo dictorum statutorum oriatur per casdem ordinaciones non decisa, pro ea declaranda ad domini cancellarij recurratur decisionem et eidem stetur, nisi propter necessitatem celoris declaracionis eisdem periculum sit in mora; tunc principalis eam statim decidat et declarat, cuius decisioni in ea parte si quis duxerit resistendum ipso facto noverit se a communitate expulsum.

Item quod nullus irritare aut impugnare seu vilipendere hec predicta statuta aut aliquod eorum super se vsurpet sine auctoritate [f. 9b.] domini cancellarij qui pro tempore fuerit, sub pena expulsionis ab aula et sui delicti domini cancellario denunciacione.

Item quod quilibet socius in aliquam communitatem alicuius aule in presenti receptus aut in posterum recipiendus in introitu et receptione sua in candem ad omnium premissa statuta et eorum quodlibet obserranda fide media principali coram testibus promittat, et securitatem de ipsis conservandis faciat, sub pena expulsionis sue ab cadem aut non admissionis sue ad candem.

Item quod omnia et singula statuta predicta in vno quaterno de
THE MEDICAL BOOKS USED AT MONTPELLIER.

The following particulars relating to the various books mentioned above (chap. viii. § 11). I owe to the great kindness of Dr. J. F. Payne, to whom I submitted my proofs:—

Books read at Montpellier.
1. De Complexionibus = De Temperamentis — Galeni.

2. De Malicia complexionis diversae = De Inaequali temperamenti — Galeni.

3. De Simplici Medicina = De Simplicium medicamentorum temperamentis et facultatibus — Galeni. Translated into Arabic by Ikonain (Joanmitius).

When Translated.
From Arabic, by Gerard of Cremona, at Toledo in twelfth century. Afterwards direct from Greek (by Linacre in sixteenth century).

From Arabic by the same. Also by Linacre as above.

From Arabic by the same (Many Arabic expressions in the Paris MSS. — Leclerc). The short title is significant.

1 f. 12: Statutes of S. Mary's Coll, 1458 [f same hand].
1. De Morbo et Accidenti—doubtful, probably = De Morborum causis, De Morborum differentiis, De Symptomat. causis (lib. iii.), De Sympt. differentiis, or an abridgement of all these books—Galen. In some printed editions they are called De Morbis et Symptomatibus.

2. De Crisi et Criticis Diebus= De Crisibus (lib. iii.), and De diebus criticis—Galeni.

3. De Ingenio Sanitatis= Methodus Medendi, sometimes called Megatechnē or Megategēn (lib. xii) — Galeni. Not the work De Sanitate tuae.

4. Tegni of Galen=τῆχνη ταραξι — Ars parva, often with the comment of Haly ben Radoan.

5. Prognostics of Aratus = Διονύσιος, a meteorological poem said to be founded on Meteorologica of Aristotle.

6. Aphorisms of Hippocrates (with commentary of Galen, —the first work of Galen translated into Latin, according to Constantinus Africanus).

7. Johannicus =‘Regimenti.’ This must mean the Ysagoge in Medicinam, the only work of Joann. translated; prefixed to numerous MSS.

8. Liber Februm of Isaac = Isaac Judæus, written in Arabic.

9. Antidotarium, probably of Nicolaus, Prepositus of Salerno, twelfth century.

This is not in any list of trans-Appendix. XXXI. lations made at Toledo, or by Gerard or Constantine. For other reasons also I think it does not belong to the oldest group of translations, and was made probably in the thirteenth century, not in the twelfth; but from the Arabic, as shown by the title.

From Arabic, by Gerard, in the twelfth century.

From Arabic, among the earliest group of translations, being referred to by the translator of No. 7; and probably, but not certainly, by Gerard (perhaps Constantine?).

Translated from Arabic by Constantine; and with the comment of Haly by Gerard.

No record of any Arabic translation. It is said there were Latin translations made from the Greek.

From Arabic by Constantine at Monte Cassino—eleventh century.

Early translation from Arabic; name of translator not given.

From Arabic by Constantine—eleventh century.

Latin original.
Books Lectured on in 1340


2. *De Morbo et Accid.*—Galeni.
   *Dedifferentiis Febrium*—Galeni.
3. *De Crisi, &c.; De Malicia, &c.*—Galeni. (See in other list.)
4. *De Simplicibus Medicinis* = probably No. 3 in other list—Galeni.
   *De Complexionibus*—Galeni. (See other list.)
5. *De Juvamentis Membrorum* = Galeni de Usu Partium.
   *De Interioribus* = Galeni de Locis Affectis.
   *De Regimine Auctorum.*
   *De Prognosticis* = Prognosticon Hippocrates.

These three works were all commented by Galen, and occur together with the comment in MSS.

7. *Liber de Ingenio* = De Ingenio Sanitatis Galeni. (See No. 6 in other list.)
   *Ad Glaucenem* = Therapeutica vel de Methodo Medendi ad Glaucenem, Galeni (not the same as the great Methodus Medendi).
8. *Quartus Canonis*—Avicenna quoad duas primas (Fen.).

When and where translated:

*From Arabic by Gerard Cremona at Toledo; tw century.*

*A ‘versio antiqua,’ prob from Arabic, of this tr is referred to more than (Kühn’s Galen, I. c. 1.)*

See above.
See other list.
See other list.
See other list.
From Arabic—anonymous. Bably not in earliest group
From Arabic, by Constanti
See other list.
Both from Arabic by Ger at Toledo. (Some MSS. a bute to Constantine.)
See other list.
I cannot trace translation: is known to have existed Arabic.

Translated from the Arabic Toledo, by Gerard of Cremona.
Johannicius de Pulsibus. There is no known work of J. thus entitled; probably = Philaretii de Pulsibus.

De Urinis = Theophili Protopsatharii de Urinis (Greek Christian writer of the seventh century A.D.; Philaretus is believed to be the same man).

These two works are constantly found in MSS. immediately following the Isagoge of Phainonius; hence the confusion. These three works form the beginning of the printed collection called Articella, which, in early editions, also includes Lipp. Aphorism, Regim. Acutum and Prognostics all with comments by Galen; and Tegni Galeni (as in other list).

1. Tegni Galeni, &c. (See No. 6 in this list and No. 7 in other list.)

2. De Regimine Sanit. = possibly the Regimen of the Schola Salernitana; but on the other hand Galen's De Sanitate Tuenda bears this title in the old MSS., and it may refer to this. The old rhyming poem was meant for popular use and perhaps would hardly be used as a text book.

1. De Virutibus Naturalibus = Galeni de Alimentorum Facultatibus. This was translated at Bologna by Accursius Pistoriensis in 1200 A.D. (from Arabic—Leclerc). (Merton College MSS. 218, Coxe's Catalogue.)
Dr. Payne adds the following remarks:—

The result is that most of the works of Hippocrates and Galen must, and all of them might, have been derived from translations made through the Arabic in the eleventh century by Constantine, in the twelfth by Gerard of Cremona, and possibly later (before 1300) by others. They can nearly all be found in lists of translations from Arabic given by Leclerc, or contained in other catalogues of MSS.; and in other cases the peculiar titles distinguish them from the classical translations made direct from the Greek.

There remain only two works of late Greek writers, Aratus and Theophilus, which need not have had anything to do with the Arabians; and two Salernitan books, Antidotarium and Regimen Sanitatis.

These seem to me remarkable as showing that the translations made at Monte Cassino, and especially at Toledo, had an immense effect on European science; and so the introduction of this literature may be said to have been the foundation of the medical faculty of Montpellier, which gave the law to medical instruction in Europe for a long time.

But this does not show that Saracen teachers founded the school which is, as you say, a very wild theory. In fact all this contradicts that theory. The translations at Toledo began under the auspices of a Christian prelate, Raymund, Archbishop of Toledo: others were made at Monte Cassino in the monastery—for the use of Christendom—and it is obvious that the Latin versions could only be used by Latin, not by Arabic, teachers. So that the school was distinctly Latin and Christian, not Saracenic; and must at once have superseded the Jewish schools of medicine and the Saracenic (if any such existed in Christian Europe).

The same Arabic version of Greek science was the foundation of Roger Bacon’s science; as also it is said of that of Albertus Magnus and of Vincent of Beauvais.

It is an equally wild and fallacious theory that the Crusaders brought back to Europe Oriental science. This was far more easily accessible in Spain, and filtered into the adjacent parts of Southern France.

The immediate result of this new invasion of the Arabic-Greek science was to diminish the importance of Salerno as a school of medicine. For though the Salernitans profited by the new versions, they had no longer any monopoly of the ancient medicine.

The whole subject of medieval Medical Literature is very interesting and has never been worked out thoroughly. It could only be done by studying the MSS. and comparing the different groups of versions which appeared at different times, and were
found collected together in the same MS. The association of these versions is by no means fortuitous; but shows what books were adopted as text-books, and hence transcribed into the compendiums which were used by students, and taken away by them from Montpellier and other schools to different parts of Europe.

The early printers got hold of these MSS. and printed them as they found them, so that the early collections of medical works, especially that known and often printed under the name of Articella, did not represent a collection made by the printers, but a collection which was in use long before as a text-book. The earliest edition of this work (no place or date, c. 1479) contains 7, 8, 9, 10 in the first Montpellier list; and two under No. 6, and two under No. 8 (viz. Philareti and Theophilus) in the second. Other editions are more copious, but nearly all are Montpellier text-books. This shows the long persistent influence of the Montpellier curriculum.

The omissions, e.g. of Celsus and of works of Hippocrates which had not been commented upon by Galen, are also most instructive.

XXXII.

THE PRESENT JURISDICTION OF THE VICE-CHANCSELLOR'S COURT AT OXFORD.

By the ancient Charters and Statutes, as we have seen, this Court had the following jurisdiction:

(1) Exclusive spiritual jurisdiction over resident members of the University and concurrent spiritual jurisdiction over citizens. This jurisdiction included Probate of scholars' wills, which lasted till 1858.

(a) Civil jurisdiction in any case in which a member of the University was plaintiff or defendant, exclusive of 'pleas which touch the crown,' and actions relating to a lay fee (i.e. practically all actions affecting real property). It appears to be doubtful whether it has jurisdiction in equity: in many cases it would clearly be without the machinery for enforcing equitable jurisdiction. (For contradictory decisions on this head see Grant, Treatise on the Law of Corporations, London, 1850, p. 523 sq.) The Court would also at all times have been in practice incapable of exercising certain jurisdictions created by Statute at a date subsequent to that of the University Charters, e.g. by the various acts relating to Insolvency and Bankruptcy.

(3) Criminal jurisdiction in all cases in which a member of the University is prosecutor or defendant, except treason, felony, and
APPENDIX. XXXII. 'mayhem.' It may be a matter of much antiquarian and some
practical interest to enquire how far this jurisdiction has been
affected by recent legislation.
1. If the judgement of Dr. Mountague Bernard, then Assessor
of the Chancellor's Court, in the case of Pusey and others v. Jowett
(Oxford, 1861) is to be accepted, the spiritual jurisdiction has
practically vanished. A suit being promoted against the Rev.
B. Jowett, Professor of Greek (afterwards Master of Balliol), for
heresy, the Assessor ruled that by the Clergy Discipline Act of
1840 (3 & 4 Vict. c. 86), no proceedings could be taken against
a clerk in holy orders except in the manner prescribed by that
Act. The Act does not recognise the jurisdiction of the Chancellor.
or could the machinery which it provides be applied to the
Chancellor's Court. Hence no proceedings can be taken against
a clerk in holy orders in the Chancellor's Court for an ecclesiastical
offence. The Court no doubt retains the same power of excom-
unciating laymen for immorality, which is in theory retained by
the Courts of the Bishops and Archdeacons elsewhere, but the
power is of course practically obsolete; though there is, it would
appear, still nothing to prevent an Archdeacon 'signifying' to the
Queen in Chancery persons who refuse to perform a penance
imposed by his Court, and procuring their imprisonment by the
writ de excommunicato capiendo.
2. In civil cases the jurisdiction remains absolutely intact as was
recently decided by the Court of Queen's Bench in the case of
Ginnett v. Whittingham (16 Q. B. D. 761). By 17 & 18 Vict. c. 81,
§ 45, the Common Law was substituted for the ancient Civil Law
procedure of the Court, and power was given to three judges to
frame rules for the Court, a power which was exercised in 1865
and 1892.
3. In criminal matters it is believed, by the responsible advisers
of the University, that the jurisdiction of the Court has been
seriously modified by the Summary Jurisdiction Act of 1879, 42 &
43 Vict. c. 49. It seems unnecessary to discuss the effects of the
erlier Summary Jurisdiction Act of 1848. The Act of 1879
provided that summary jurisdiction should only be exercised in
the manner prescribed by the Act; and it is thought that the
practical effect of this measure is to abolish all the criminal jurisdic-
tion of the Vice-Chancellor, except that which he exercises as
an ex officio Justice of the Peace. This jurisdiction is of course much
more limited than the old jurisdiction above described. Whereas
under the old Charters he might (without a jury) have tried a man
for perjury, and sentenced him to two years' imprisonment or
more, the maximum sentence which can be imposed by Justice
is six months' imprisonment. Moreover, except in the most
trifling cases, a Justice of the Peace must act with at least one other Justice. Hence, of late years, the practice has been for the Vice-Chancellor to sit with some other Justice of the Peace for the County of Oxford, and (where the matter exceeds their jurisdiction) to commit for trial to the Assizes or Quarter Sessions. But the Act of 1879 required that Justices should sit only in Petty Sessional Courts, i.e. in a place regularly appointed by the Justices for the Division. Consequently there was still an anomaly in the proceedings of the Vice-Chancellor who did not belong to any regular Petty Sessional Division, and held his Court in a place not authorised under the provisions of the Act. Hence in 1886 an Act of Parliament was procured (49 & 50 Vict. c. 31) which provided that 'The chancellor, masters, and scholars of the University of Oxford may, from time to time, fix a place within the precincts of the University at which the chancellor of the said University, and his commissary for the time being (commonly called the vice-chancellor), and the deputy of the aforesaid commissary for the time being may sit and act as justices of the peace for the counties of Oxford and Berks, and when they, or any of them, sit in the place so appointed, and act as justices or justice of the peace for the county of Oxford or Berks, such place shall be deemed to be a petty sessional court-house within the meaning of the Summary Jurisdiction Act, 1879, and to be situate within the county of Oxford or the county of Berks, as the case requires, and any justice of the peace for the county of Oxford or the county of Berks, as the case requires, may sit and act with them or him as justice of the peace in such court-house.'

I venture to doubt whether this interpretation of the various Acts dealing with the matter can be sustained. The Act of 1879 relates exclusively to the jurisdiction of Justices of the Peace, and there is nothing whatever in it to curtail or modify any jurisdiction which the Vice-Chancellor exercises not as a Justice. Moreover, this interpretation would make it exceedingly difficult to show whence the Vice-Chancellor derives his exclusive claim to try offences committed by or against members of the University. That jurisdiction was conferred upon the Vice-Chancellor as Vice-Chancellor, not as a Justice of the Peace. If recent legislation has destroyed his jurisdiction as Vice-Chancellor, has it not destroyed also his claim—at all events his exclusive claim—to try these offences? Such a jurisdiction he certainly cannot claim merely as one of the numerous Justices of the Peace for the Counties of Oxford and Berks. Nor is there anything in the Act of 1886 to cure this defect in his position. That Act gives him special facilities for exercising his jurisdiction as a Justice of the Peace: it exempts him from the necessity of sitting with any number of other Justices
who choose to attend in the Petty Sessional Court of the district. 
though he must in certain cases sit with one Justice of Oxford or 
Berks. But it does not confer upon him any jurisdiction which he 
did not already possess as a Justice; and it does not exempt members 
of the University from the jurisdiction of the County or City Justices. 
It cannot surely be contended that the Charters are repealed in 
respect of the jurisdiction exercised by the Vice-Chancellor, while 
they are still in force in respect of the persons over whom that 
jurisdiction is exercised. If the jurisdiction of the Vice-Chancellor 
qua Vice-Chancellor is gone, members of the University can 
hardly be exempt from the jurisdiction to which other residents 
in Oxford are amenable: still less can the Vice-Chancellor claim 
the exclusive cognisance of cases in which a member of the 
University is the prosecutor.

There is a further anomaly in the position taken up by the 
University in this matter. Oxford is a County Borough, with 
a separate Commission of the Peace. That being so, it is ano-
malous—though no doubt not illegal—for two Justices of the 
Counties of Oxford and Berks to exercise jurisdiction in respect 
of offences committed within the City boundaries. If the Vice-
Chancellor is by Charter a City Justice, the Justice with whom 
he sits is not necessarily so.

In this state of affairs it might be contended that either the Vice-
Chancellor has lost all criminal jurisdiction beyond the right of 
holding a Court for the trial of such offences committed in Oxford 
or Berks as may be brought before him by the voluntary choice 
of the prosecutor, or that the old jurisdiction of the Vice-Chancellor's 
Court in all criminal cases but treason, felony, and mayhem remains 
intact.

The chief difficulty in the way of the latter view lies in two 
clauses of the Summary Jurisdiction Act of 1879 taken in con-
nexion with two clauses of the Interpretation Act of 1889 (52 & 53 
Vic. cap. 63, § 13). The clauses of the first-mentioned Act (42 & 
43 Vic. cap. 49; § 20, c. 1, 2) run as follows:—

‘(1) A case arising under this Act, or under any other Act, 
whether past or future, shall not be heard, tried, determined or 
adjudged by a court of summary jurisdiction, except when sitting 
in open court.

‘(2) Open court means a petty sessional court-house.’

The clauses of the Interpretation Act, 1889 (52 & 53 Vic. cap. 63, 
§ 13, cc. 11, 13) are:

‘(1) The expression “court of summary jurisdiction” shall 
mean any justice of the peace, or other magistrate, by whatever 
name called, to whom jurisdiction is given by, or who is authorised 
to act under, the Summary Jurisdiction Acts, whether in England.
Wales, or Ireland, and whether acting under the Summary Jurisdiction Acts, or any of them, or under any other Act, or by virtue of his commission, or under the common law.

'(13) The expression “petty sessional court-house” shall, as respects England or Wales, mean a court-house or other place at which justices are accustomed to assemble for holding special or petty sessions, or which is for the time being appointed as a substitute for such a court-house or place, and where the justices are accustomed to assemble for either special or petty sessions at more than one court-house or place in a petty sessional division, shall mean any such court-house or place.'

Now certainly the language of Clause 11 in the Act of 1889 is very comprehensive. It would be difficult to contend that the Vice-Chancellor is not a magistrate; and if he is a magistrate, it may be urged that he must conform to the provisions of the Summary Jurisdiction Act whether exercising his jurisdiction under the Summary Jurisdiction Acts, or any other jurisdiction which he possesses by law. But (1) in strictness the jurisdiction of the Vice-Chancellor, qua Vice-Chancellor, is not conferred by any Act of Parliament (though it is recognised in many Acts) or by the common law or by a Commission, but by Charter. And (2) if it be urged that the language of the clause is wide enough to cover the jurisdiction derived from the Charter, it would seem that pari ratione it must cover all manner of Courts and Judges, even the Judges of the High Court who are in the widest sense of the word 'magistrates' and specifically Justices of the Peace. Hence it would follow that even a Judge of the High Court would be bound to exercise his jurisdiction in a Petty Sessional Court sitting with the other Justices of the division. This being a reductio ad absurdum, it seems to me that it may still be contended that the Vice-Chancellor is not a magistrate within the meaning of the Act. The word must be understood to mean a magistrate with jurisdiction of the same character as that of Justice of the Peace, e.g. the Lord Mayor or Aldermen of the City of London.

Up to last year (1894) the old process of Appeal to Congregation and Convocation described above (p. 437) remained in force. The last appeal which actually proceeded to a hearing was the case of MacMullen v. Hampden in 1844. An appeal was entered in 1894 but was abandoned before the hearing. An Order of Council of Aug. 23, 1894, was procured (under the Supreme Court of Judicature Act of 1875, and Statute Law and Procedure Acts of 1883), by which an Appeal is created from the Vice-Chancellor's Court to a division of the Court of Queen's Bench, and the old appeal is abolished. The Act of 1875 gives the Queen in Council power
to create an appeal from any 'inferior Court of Record' similar to the appeal from County Courts. It might perhaps be doubtful whether this would apply to the criminal jurisdiction of the Court, supposing any jurisdiction to remain other than that which the Vice-Chancellor possesses as a Justice of the Peace. Appeals from the Vice-Chancellor sitting in Petty Sessions must of course be made to Quarter Sessions on the facts, and to the Queen's Bench on points of Law, in the cases where such appeals are allowed in the case of other Petty Sessional Courts. If a case of a spiritual character were to occur, the old appeal to Congregation and Convocation would apparently remain in full force, since a Spiritual Court could hardly be covered by the term 'inferior Court of Record.' The University has, however, itself abolished the Statute dealing with the appointment of Delegates of Appeals. This would not however abolish the right to appeal to Congregation or Convocation, supposing any such right to exist.

Besides the ordinary jurisdiction of the Vice-Chancellor, he exercises a jurisdiction of a very peculiar character under the Oxford and Cambridge Police Act (6 Geo. IV. c. 97). Jurisdiction over 'suspected women' is conferred by many old Charters and Acts of Parliament, but in practice all proceedings in such cases are now taken under the Act of George IV. The Proctors have the power of arresting such women in the streets by means of the Proctor's servants (who are sworn constables), and this power has been exercised quite recently; but of late years it has been customary to bring up offenders who have been observed by the Proctors loitering in the street or walking with Undergraduates by summons. As a rule this leads to the disappearance of the woman. When the offender is brought before the Court, she is (for a first offence) usually discharged with a caution. On a second offence she is imprisoned for a few weeks. A jurisdiction which is thus very seldom really exercised produces a much more extensive and beneficial effect than a priori objectors to State interference might be disposed to expect upon the decency of the streets and the morals of the town.

The jurisdiction of the Court of the High Steward of the University, described above (p. 409), remains intact, but the privilege has never been claimed for a century or more, and the occasional cases of theft by members of the University are disposed of at Quarter Sessions or Assizes.

[I am indebted to Prof. T. E. Holland, the present learned Assessor of the Vice-Chancellor's Court, for several pieces of information contained in the above paragraphs.]
THE PRESENT CONSTITUTION OF OXFORD.

XXXIII.

THE PRESENT CONSTITUTION OF THE UNIVERSITY OF OXFORD.

The University of Oxford is now governed by the following bodies:

1. The House of Convocation. This Assembly consists of the Doctors of Divinity, Law, and Medicine, and the Masters of Arts, so long as they keep their names upon the books of some College or Hall or of the Delegates of Non-collegiate Students, which is done by a small annual payment to the University and to the College, or by a composition for life. It is the supreme governing body of the University, which makes permanent Statutes or temporary Decrees, and controls the expenditure of the University revenues. In practice, it is only on very rare occasions that any considerable number of non-resident Masters attend.

2. The Congregation of the University of Oxford. This body was created by the University of Oxford Act, 1854 (17 & 18 Vict. c. 81). It consists of all resident members of Convocation, that is to say, of all members of Convocation who have passed 141 nights within a radius of two miles from Carfax Church during the preceding year (ending Sept. 1), together with certain officials who have seats independently of residence. Before a Statute (not a temporary Decree) is introduced into Convocation, it must be passed by Congregation: and this House has the sole right of amending Statutes.

3. The Ancient House of Congregation. Probably by an oversight on the part of the framers of the Act of 1854, the ancient Congregation of Regents was left in existence for certain purposes, viz. the conferment of ordinary degrees, and the approval of Examiners who have, however, to be subsequently approved by Convocation. Its functions are in practice merely formal, as degrees are never refused to candidates who have passed the Examinations and complied with the ordinary statutory conditions. The House consists of (1) the necessario Regentes who are Doctors or Masters of any Faculty (except Music) during the first two years from their admission to Regency, i.e. (the old ceremony of Inception being extinct) from the beginning of the term after that in which they have been admitted to their degrees; (2) the Regentes ad placitum, i.e. Heads of Colleges and Halls, Professors, Doctors of any Faculty (except Music), the Censor of Unattached Students (being at least M.A.), together with the Deans or Censors of Colleges, and all Public Examiners, Moderators (i.e. Examiners in the First Public Examination), and Masters of the Schools (i.e.
Examiners in Responsions). In practice the nine Regents necessary to the conferment of a Degree are made up of the Deans who attend to present candidates from their respective Colleges.

(4) The Hebdomadal Council. Under the Laudian Statutes the Hebdomadal Board consisted of the Vice-Chancellor, the two Proctors, and the Heads of Colleges. It was in the main a purely decretal body, having the exclusive right of initiating proposals of all kinds to be laid before Convocation. By the University of Oxford Act 1854, its functions were transferred to a differently constituted Hebdomadal Council. This body consists of the Vice-Chancellor and Proctors, the Ex-Vice-Chancellor and eighteen persons elected by the Congregation of the University of Oxford, of whom six must be Heads of Colleges, six Professors (or University Readers), and six other members of Convocation.

The method of carrying a Statute is therefore as follows:—The proposed measure must first be voted by the Hebdomadal Council. It is then laid before Congregation. If the preamble of the measure is carried, the principle of the measure is considered to be affirmed. This answers to a 'second reading' in Parliament. An opportunity is then given to members of Congregation to propose amendments, which, after due notice, are discussed and voted on. The measure as amended is then again laid before Congregation. Finally, if passed by Congregation, the Statute is laid before Convocation which must accept it or reject it absolutely without amendment. This procedure applies only to Statutes. Decrees and money grants proposed by the Hebdomadal Council are voted directly by Convocation, on a proposal introduced by the Hebdomadal Council.

The University and the Colleges. It may be desirable to add a few words as to the relations between the University and the Colleges, relations so puzzling to foreigners and even to Englishmen who have not been educated in them. The Colleges are wholly distinct corporations, and the University has no legal control over them whatever. But the students of the Colleges are as individuals members also of the University; and the University requires that its members shall be members of a College or Hall, or place their names upon the books of the Non-collegiate Students, in which case, though they reside in licensed lodgings, the Censor of Non-collegiate Students (with a body of Delegates appointed by the University) exercises over them the same kind of authority, and provides for them the same kind of education which it is the function of the College (i.e. the Head and Fellows) to provide in the case of Collegiate students. The University cannot directly control the corporate acts of the College or its officers. But, since the object for which the members of the College reside
in Oxford is to obtain the degree which is given by the University, members of the Colleges are obliged to conform to its regulations, and the University could, indeed, exercise any authority which it pleased over the Colleges by refusing to recognise members of a College which disobeyed its regulations. This in practice it does not attempt to do, except by requiring an officer of the College to testify that a candidate has kept the residence required by the University and a few similar regulations. The Professors of the University (much fewer in number than in most Universities of the same size) on the one hand and the Tutors and Lecturers of the Colleges on the other form two wholly distinct educational systems. A certain amount of harmony has, indeed, recently been established between them by the institution of Boards of Faculties, which draw up lists of lectures both by University Professors and College teachers, most of whom now open their Honour lectures to all members of the University while giving private tutorial instruction to their pupils in their own College. In practice it may be said that the larger part of the education which the majority of the Undergraduates obtain is provided by the College Tutors and Lecturers.

Mr. Bryce has happily used the relation between the University and the Colleges as an illustration of the relations between the Federal Government and the separate States of the American Union. The parallel is close enough for practical purposes, but there is this difference—that, in place of the strict limitation of spheres established by the American Constitution, the jurisdiction of both University and College, if either chose to exercise them, is legally unlimited. Expulsion from a College would not involve expulsion from the University unless the University chose so to enact: nor could expulsion from the University prevent a man continuing to be a member or even a Fellow of a College. The University's monopoly of the power of granting degrees is the only connecting link which ensures their harmonious co-operation.
ADDITIONAL NOTE.

p. 458. In 1403 we find Johannes Comitis and Guillelmus Burgundi described as 'actu docentes Parisius in arte Musice ex auctoritate et licentia Universitatis Parisiensis.' The first was Choir-master at Notre Dame, the latter 'Cantor Universitatis.' (Chartul. Univ. Paris. T. III. p. xiii.) But it does not appear that they were graduates.
INDEX.

[Technical Latin terms are printed in Italic.]
INDEX.

Albert of Saxony, i. 441, 539 n.; ii. 236, 237, 241 n., 296 n.
—, Poet at Gars, his College at Namur, ii. 237 n.
Albi, schools of, i. 17 n.; ii. 170, 727.
Archdeacon of, ii. 684.
Albicinicus, Caesar, Florisvicensis, i. 89.
Albigenses, i. 347; ii. 115, 158, 159.
Albornoz, Egidio, Cardinal, l. 200.
Albicucius, i. 338 n.
ALCALA, University of, l. 310 n.; ii. 83, 99; College of San Ildefonso at, ii. 83 n., 99.
Alchabicus, i. 250.
Alchemu, i. 86; ii. 132.
Alciatuus, i. 257 n., 261; ii. 205.
Alcobaça, Abbot of, ii. 103.
Alcok, John, R.P. of Ely, ii. 578.
Alcuin, l. 26-30, 35-37, 91 n., 101, 103 n., 273, 274; ii. 548.
Aldeate, Saint, Monastery of, at Oxford, ii. 328 n.
Alexander II, Pope (Lambert), i. 16.
—, III. Pope, i. 54 n., 133, 233, 292; ii. 138, 224; his decretales, ii. 172 n.
—, IV. Pope, i. 311 n., 380, 385, 389, 520; ii. 71, 82, 367 n., 724.
—, V. Pope, ii. 186, 225, 255.
—, VI. Pope, ii. 99, 101, 309, 723.
— of Aphrodiasis, i. 344, 357.
— of Hales, i. 363, 383, 371, 539 n.; ii. 537.
— de Villa Dei, i. 436, 443 n.; ii. 515, 605, 702.
— envoy of Masters at Angers, i. 338 n.
Alexandria, ii. 710.
Alfonso V, King of Aragon, ii. 94.
— the Magnificent, King of Aragon and Sicily, ii. 58.
— VIII. King of Castile, ii. 22, 65, 69.
— X (the Wise) of Castile, i. 250; ii. 70, 74, 82, 105; his astronomical table, ii. 72 n.
— XI, King of Castile, ii. 84 n.
— IX, King of Leon, ii. 69.
— Count of Poitiers, i. 375.
— Count of Provence, ii. 185 n.
Alfred the Great, i. 145; ii. 320, 322, 472.
Algarve, Nation of, at Bologna, i. 185 n.
Alghazel, i. 353 n.
Alhacen, ii. 457.
Ali, i. 351.
Aliodes, i. 80, 216 n.
All mandes, College des, at Paris, i. 516.
Almagna. See Ptolemy.
Almanson. See Razas.
— Calth, i. 353.
Almarie of Bene, i. 301 n., 335 n., 336, 434; ii. 737-38.
Almaricians, i. 355 n., 357.
Altigrados de Lendinaria, i. 211 n.
Amadeo VI, of Savoy, ii. 722.
— VIII, of Savoy, ii. 57.
Amalih, i. 99 n., 114 n.; ii. 185 n.
Amari, ii. 58.
Amico, ii. 58.
Amiens, School of, i. 284 n.
Ampère, i. 25.
Amusements, ii. 669-76, &c.
Anagni, i. 385.
Anatomy, i. 246; ii. 90.
Ancearum, Collegium, at Bologna, i. 204.
Anderson, J. M., ii. 295, 297 n., 299 n.
Andrew, Valerius, ii. 259.
Andrew, Bernard, ii. 459 n.
— Provost of Upsala, i. 515.
— Richard of Cambridge, ii. 575.
Andrew’s, Saint, de Arcubus, Church of, at Paris, i. 401 n.; ii. 680 n.
Andrich, ii. 10.
Angaria, i. 459 n.
Angelicum, Collegium, at Prague, ii.
232 n.
Angelis, De, ii. 31.
Angelus of Perugia, ii. 48.
ANGERS, Schools and University of.
— l’Angiès, Gévreyp, Bp. of, Seez, i. 517.
Anglicus, Ricardus. See Richard.
Angus, ii. 248.
Aniul, Nation of, at Angers, ii. 155.
Duke of, ii. 180. See Angers.
Anne of Bohemia, ii. 223.
Annecy, College of, at Avignon, ii. 177.
634.
Annerstedt, ii. 290.
Anselm, Saint, Abp. of Canterbury, ii. 40-41, 45, 54, 346-47.
— the Peripatetic, ii. 6.
— of Laon, i. 51.
— of Lucca, i. 139.
Anstey, i. 428 n.; ii. 311, 336 n., 403 n., 412 n., 417 n., 430 n., 443 n., 463 n., 652.
Antacbus, ii. 739.
Antidoteum. See Nicholas.
Antonio de Virgilio, i. 240.
Antony, Saint, of Padua, ii. 13 n., 102 n.
Anulus. See Ring.
Anwykull, John, ii. 514.
Ape, ii. 642.
INDEX.

Aphorisms. See Hippocrates.

Apothecaries. i. 419.

Appeal from University Courts, at Paris, i. 400, 411; at Oxford, ii. 433-44, 437 sq., 796 sq.; at Cambridge, ii. 548 sq.

Aquitaine, Nation of, at Orleans, ii. 146; at Angers, ii. 155; at Poitiers, ii. 192; at Bourges, ii. 205.

Arabic. See Oriental languages.

Arabis, i 31, 68, 262; ii. 82, 96, 116; their Medicine, i. 78, 81, 85-86, 236, 242-50, 429, 430; ii. 116-18, 132, 135, 768-85; their Philosophy, i. 382 sq.; see also Averroism; their Mathematics, i. 243.

Aragon, ii. 86, 89; Nation of, at Bologna, i. 185 n.; College of, at Montpellier, ii. 132; Universities in, see Lerida, Huesca, Saragossa.

Aratus, ii. 127, 124; ii. 781 sq.

d'Arbaumont, ii. 187.

Archdeacon, functions of, at Bologna, i. 233 sq., 233, 253.

Arches, Court of, ii. 540, &c.

Aretinus, Gratia. See Gratia.

Arden, University of, i. 172; ii. 8-9, 7-3.

Argenta. ii. 736.

Ariani-sm. See Trinity.

Arminio, De, i. 539 n.

Arnosti, ii. 56.

Arstippus, Euericus, ii. 744, 745.


Arithmetic, i. 34, 243, 249-50, 442; ii. 456, 457, 661 n.

Arles, Jewish School of Medicine at, ii. 116; Alp. of, ii. 182 and see Galbert; Kingdom of, ii. 182.

Armachanus. See Richard Fitz-Ralph.

Armagnacs, i. 821 sq.

Armand de Jecu, ii. 725.

Armengaud, ii. 117 n.

Arms, carrying of, ii. 644 n., 771 sq.; wearing of, i. 184, 195.

Armault of Villeneuve, i. 430; ii. 86, 99, 117 n., 123, 125.

Arnold, Prof. T., ii. 429 n.

Arras, College of, at Paris, ii. 515.


Arthur, King, ii. 245.

Artemis, ii. 23, 75 sq.

Arts, College of, at Heidelberg, ii. 249; study of, ii. 93 sq.; at Paris, i. 9, 191.

433-62; at Bologna, i. 12 n., 100 sq., 233-43, 248 sq., 261 sq.; at Montpellier, li. 130-31; at Oxford, ii. 451-52, 455-58 et passim. See also Faculties, Philosophy.

Arts, the seven, i. 33, 93, 103; ii. 138, 452, 457, 462.

Arundel, Abp. of Canterbury, ii. 374 n., 431, 433, 462, 542.

— Richard, Earl of, ii. 492 n.

Aschbach, ii. 232.

Ashley (first Lord Shaftesbury), ii. 536 n.

Assaults, ii. 414 sq., 614 sq., 682-85 et passim; on clerks, i. 225; ii. 430 n.

Asser, Rp. of S. David's, ii. 352.

Astrolabium, ii. 250.

Astrology, i. 34, 35, 240, 243, 244, 245, 249-50; ii. 290, 452, 458, 459.

Astronomy. See Astrology.

Astruc, ii. 113, 115 n.

Athens, initiation of teachers at, i. 288 n.; so-called University of, ii. 204 n., 234, 270 n., 710.

Athletics, ii. 670.

Atonement, doctrine of, i. 54, 57.

Atto of Vericelli, i. 92 n.

Audubon, Cardinal, ii. 169.

Aubusson, College of, at Paris, i. 517.

Auch, province of, at Angers, ii. 155.

Auckland, ii. 478.

Auctor ad Herennium, i. 103 n.

Auditorium, ii. 161 n. See Lecture-room.

Augsburg, Bp. of, ii. 253.

Augustine, Saint, i. 38, 46, 53, 63, 365, 367; ii. 527, 530 n.; Canons of, see Canons Regular. Friars of, see Austin Friars.

Aulaves. See Halls.

Aulicke, i. 473.

Aulica, i. 467 n., 468 n., 474.

Auriol, Peter, ii. 535.

Austin Friars, at Paris, i. 349, 371 n.; at Oxford, ii. 377, 598 n.

Australasia, i. e. the Southern Nation at Oxford, ii. 368, 371.

Austrians, studying at Prague, ii. 212; Nation of, at Vienna, ii. 234, 239.

Authentic, i. 208.

Autun, College of. See Bertrand.

Auvergne, Nation of, at Bologna, i. 185 n.

Auverroes, Bp. of, i. 381.

Auximani, Scholars, at Padua, ii. 19. d'Auxonne, Bp. of, at Cambrai, i. 510.

Ave Maria, College of. See Hubant.

Averroes and Averroism, i. 248, 262-65, 352 sq., 525, 539 n.; ii. 544 n., 547, 552 n.

Avicenna, i. 80, 247, 249, 250, 353.
INDEX.

Bliss, Mr., i. 533 n.; ii. 367 n., 384, 756.
Bliss, Editor of Wood, ii. 319.
Blaxall, ii. 512.
Boase, Rev. C., ii. 444 n.; ii. 321, 490, 606.
Blyvort, See Fortunato.
Boccaccio, ii. 49.
Boce, Hector, ii. 394 n., 310.
Boel, Michael, College of, at Montpellier, ii. 131.
Boethius, i. 34-37, 63, 359, 434, 435; ii. 240 n., 443, 455, 456, 457, 525 n., 744.
— Pseudo-, ii. 606.
Bohemia, Nation of, at Vienna, ii. 234; at Bologna, ii. 185; at Prague, ii. 217. See also Prague.
— education in, ii. 215 sq.
Boissi, College of, at Paris, i. 504, 516.
Bolbonne, College of, at Toulouse, ii. 169.
Bologna, University of, i. 6, 8 n., 9-12, 16 n., 19-21, 89-96, 443; ii. 32 sq., 48, 467, 581, 280, 606 n., 656 n., 731-36, 745; influence upon Paris, i. 292, 304 sq., 411; upon Lerida, ii. 88; upon French Universities, ii. 112, &c.
— Bishop of, i. 186, 253, &c.; Arch-deacon of, i. 223 sq., 733, &c.
Bonaventura, i. 345, 353, 380 n., 497 n., 539 n.; ii. 537.
Boncompagni, i. 111, 145, 149, 250 n.; ii. 11.
Boncourt, College of, at Paris, i. 494 n., 516.
Bonccke, ii. 253.
Boniface, VIII. Pope, i. 7 n., 406, 542; ii. 38, 76, 87, 133 n., 165, 171, 719, 723.
— IX. Pope, ii. 53, 55, 253, 284, 401 n., 430, 434, 550, 654, 733.
Bonnet, H. de Bayeux, i. 515.
Bonshomo, i. 380 n.
Bookbinder, i. 417.
Books, trade in, i. 181, 191 sq., 415-17; private supply of, ii. 668. See also Libraries.
Boots, academical, see Pynson; un-academical, ii. 637.
Bordeaux. University of, ii. 198-200.
— Province of, at Angers, ii. 155.
Borcelot, i.e. the Northern Nation, at Oxford, ii. 324, 368, 371, &c.
Borsetti, ii. 55.
Bouard, College of, at Paris, ii. 517.
Bouchard d’Avesnes, ii. 139 n.
Bouquet, i. 295 n., 478, c.f. passim.
Bourbon, Francis of, ii. 181.
Bories, University of, ii. 204-205.
Bourgeois, i. 744-44.
— Province of, at Angers, ii. 155.
Bourgogne. See Burgundy.
INDEX.

Carafa, ii. 27.
Carlisle, Bp. of, ii. 376, 374.
Carlyle, Thomas, ii. 347.
Carmelites, at Paris, i. 349, 371 n., 544; at Oxford, ii. 37; at Cambridge, ii. 559.
Carnival, vacation at, i. 221; ii. 673; riots at, i. 335 sq., 374.
Carpellini, ii. 31.
Carrara, family of, at Padua, ii. 18, 20.
Carriers, University, i. 415; ii. 605. See Nuntius.
Carriillo, Alfonso, ii. 99.
Carter, ii. 543.
Carthusians, their College at Montpellier, ii. 130.
Casabon, Isaac, ii. 135 n.
Casimir the Great, ii. 283.
Cassani, i. 90, 133 n.
Cassian, i. 27.
Cassiodorus, i. 34, 35 n., 78 n.
Castelnaud, ii. 115.
Castille, i. 472. See Palencia, Sigüenza, Alcalá.
Castro Pietro, migration to, from Bologna, i. 217; ii. 736.
Catalonia, ii. 94; Nation of, at Aix, ii. 187; at Bologna, i. 187 n., 184 n.; at Montpellier, ii. 117; at Padua and Verceil, ii. 14, 746.
Catania, University of, ii. 68-59.
Catharine, Saint, College of, at Cambridge, ii. 577.
Cathedra, i. 219, 232, 287.
Cathedrals, their schools, i. 28 sq., 42, 91 sq., 274-79, 290.
Cathedrarii, ii. 85.
Catherine, Saint, Festival of, ii. 671 n.; — de Valle Scholairum, College of, at Paris, ii. 679; — de l’ampeluna, College of, at Toulouse, i. 169.
Catherinot, ii. 204.
Cato, Dionysius, ii. 72; ii. 602 n., 603.
Cauchon, Pierre, Bp. of Liseux, ii. 197.
Caudrelier, Abb. of S. Vast, i. 515.
Caulx, ii. 725.
Cauma, Raphanus, ii. 590 n.
Causticum, i. 118.
Cauvet, i. 194.
Cazaleti, Jean, ii. 177.
Cecco d’Ascoli, i. 244.
Celestine III, Pope, ii. 203 n.
Celibacy of Regents, ii. 647. See Marriage.
Celsus, ii. 785.
Cenomanensius, at Bologna, i. 157 n.
Ceremonies, Master of, ii. 129 n.
cessation or suspension of Lectures, i. 293, 336, 375 sq., 421, 425.

Carafa, ii. 27.
Carlisle, Bp. of, ii. 376, 374.
Carlyle, Thomas, ii. 347.
Carmelites, at Paris, i. 349, 371 n., 544; at Oxford, ii. 37; at Cambridge, ii. 559.
Carnival, vacation at, i. 221; ii. 673; riots at, i. 335 sq., 374.
Carpellini, ii. 31.
Carrara, family of, at Padua, ii. 18, 20.
Carriers, University, i. 415; ii. 605. See Nuntius.
Carriillo, Alfonso, ii. 99.
Carter, ii. 543.
Carthusians, their College at Montpellier, ii. 130.
Casabon, Isaac, ii. 135 n.
Casimir the Great, ii. 283.
Cassani, i. 90, 133 n.
Cassian, i. 27.
Cassiodorus, i. 34, 35 n., 78 n.
Castelnaud, ii. 115.
Castille, i. 472. See Palencia, Sigüenza, Alcalá.
Castro Pietro, migration to, from Bologna, i. 217; ii. 736.
Catalonia, ii. 94; Nation of, at Aix, ii. 187; at Bologna, i. 187 n., 184 n.; at Montpellier, ii. 117; at Padua and Verceil, ii. 14, 746.
Catania, University of, ii. 68-59.
Catharine, Saint, College of, at Cambridge, ii. 577.
Cathedra, i. 219, 232, 287.
Cathedrals, their schools, i. 28 sq., 42, 91 sq., 274-79, 290.
Cathedrarii, ii. 85.
Catherine, Saint, Festival of, ii. 671 n.; — de Valle Scholairum, College of, at Paris, ii. 679; — de l’ampeluna, College of, at Toulouse, i. 169.
Catherinot, ii. 204.
Cato, Dionysius, ii. 72; ii. 602 n., 603.
Cauchon, Pierre, Bp. of Liseux, ii. 197.
Caudrelier, Abb. of S. Vast, i. 515.
Caulx, ii. 725.
Cauma, Raphanus, ii. 590 n.
Causticum, i. 118.
Cauvet, i. 194.
Cazaleti, Jean, ii. 177.
Cecco d’Ascoli, i. 244.
Celestine III, Pope, ii. 203 n.
Celibacy of Regents, ii. 647. See Marriage.
Celsus, ii. 785.
Cenomanensius, at Bologna, i. 157 n.
Ceremonies, Master of, ii. 129 n.
cessation or suspension of Lectures, i. 293, 336, 375 sq., 421, 425.
Clemangis, Nicholas de. See Nicholas, Clement. College of Maitre, i. 516.
- III, Pope, i. 149.
- IV, Pope, ii. 24, 125 n., 126.
- V, Pope, i. 331 n., 344 n.; ii. 43, 76, 117 n., 121, 143, 139 n., 141, 719.
- VI, Pope, i. 533; ii. 15, 44, 47, 83, 84 n., 214, 427 n.
- VII, Anti-po, e. i. 333 n., 535, 543, 559; ii. 76, 83 n., 103, 134, 168, 183, 237, 245.
Clementines, i. 140, 209.
Cheritus, meaning of, i. 183 n., 202; ii. 644; iv. 409 sq.; ii. 631.
Clark of the Market at Oxford, ii. 406 n.
Clients of the University, at Paris, i. 411, 415.
Cluniares, i. 31, 345; their College at Avignon, ii. 177; at Dole, ii. 190.
Cluny, College of, at Paris, i. 514.
Clydesdale, Nation of, at Glasgow, i. 305.
Cobham, Thomas, Bp. of Worcester, ii. 374 n., 461.
Cochlearis, i. 56.
Cook-fighting, ii. 673.
Codex, ii. 657. See Domus Faustorum.
Cogo, Bk. ii. 36, 750.
Cohn. See Courat.
Colne, Lat. at Caen, ii. 196.
Courtier, i. 191.
Coke, i. 130; ii. 752.
Colet, Dean, ii. 494, 514 n., 515.
Collard, i. 231.
Collatio i.e. lecture or academical exercise, i. 402 n., 449.
- i.e. Sermon or Lecture, i. 402 n., 449, 450, 454, 467 n.
Collation (i.e. evening potation), ii. 652.
Colle, i. 10.
Collect of Doctors and Bishops, i. 193 n.; ii. 210-13; ii. 460.
Coll. for Rhadalverumum, i. 444 n.
College of arms and arts, i. 193, 172 n.
See Guilds.
- of Doctors, i. 82, 147 sq.; 167 sq., 197, 216 sq., 214 sq., 217, 432; ii. 18 et passim.
- of students at Bologna, i. 199-205; at Paris, 1475, 517; at Oxford, ii. 494, 518, 725 sq.; at Cambridge, ii. 20, 572; in Germany, ii. 218 sq.; in Scotland, ii. 723, 725, 313, 314.
- fusion of, with University, ii. 97, 98, 313 sq.
College of military orders at Salamanca, ii. 81 n.
- life in, ii. 615-24, 660 sq., &c.
- teaching in. See Lectures, Tutors.
Colleges de plene exercitie, at Paris, i. 508, 509; at Prague, ii. 232 n.
Collegiati, ii. 276, &c. See Colleges.
Collegium, as equivalent of Universitas, i. 7, 375; Artuum, at Heidelberg, ii. 249; Ducale, at Vienna, ii. 238; Georgianum, at Ingoldstadt, ii. 272; Gregorianum, at Perugia, ii. 41; Hervordianum, at Cologne, ii. 253; Jacobiticum, at Heidelberg, ii. 249; Riddlem, at Padua, ii. 191; Ruremundanum, at Cologne, ii. 253 n.; Spinelli, at Padua, ii. 19; Tornaeanum, at Padua, ii. 19; Trilingue, at Louvain, ii. 162. (For Colleges of other Universities, see names of Universities.)
- Medieval ideas about, i. 165 sq., 179, 501 sq.
- maps and menus, at Cracow, ii. 285; at Erfurt, ii. 420; at Leipzig, ii. 255, 614, 672 n.; at Rostock, ii. 257; at Greifswald, ii. 267. (For other Colleges, see under their respective names.)
Collegis, University of, i. 226 n., 416 n., 419 n., 441 n., 468 n., 474 n.; ii. 226 n., 249, 251-5, 306, 508, 608 n., 638 n., 642 n.
Comboni, ii. 31.
Columbus, ii. 77.
Combination room, ii. 666.
Commencement at Cambridge, ii. 446, 763 sq. See Inception.
Commensales, i. 475, 496-500; ii. 517, 518.
Commitutis, droit de, i. 413 n.
Committer. See Commensales.
Common помещения, ii. 666 n.
Como, i. 119.
Comparatori, i. 13.
Compurgation, ii. 417.
Conception, immaculate, ii. 536.
Conclusion, i. 207.
Conclusion, Rectorial, i. 330 sq., 406.
Concordantia disordantie caienni. See Gratian.
Concours, in French Universities, ii. 190 n.
Confectionarius, i. 84.
Contraturnity. See Guild.
INDEX.

Con-Principal, ii. 558.
Conrad I V, King of Naples, ii. 23.
— of Geyhausen, ii. 249.
— nephew of Abp. of Verceil, ii. 746.
Conrat (formerly Cohn), i. 91, 132 n.
Corningus, i. 3.
Conservation, Court of, at Paris, i. 343.
Conservator Royal, i. 297, 411-13; ii. 78 n.
— Apostolic, at Paris, i. 343-44, 411-13, 427; at Oxford, ii. 419; and in other Universities passim.
— of exemption from Aides, at Paris, i. 422.
Consiliariae, at Bologna, i. 157-59, 189 sq.
Consiliaria, at Bologna, and other Universities, i. 157, 165, 185 sq. et passim; in Colleges or Halls, i. 481 n., &c.
Consistorium, i. 294 n., 304, 307, 371, 378, 388 n.
Consistence, Council of, i. 533, 545; ii. 84, 229, 250, 545 sq.
— Bp. of, ii. 268 n.
— i. 98, 253.
Constantinople, College of, at Paris, i. 99, 359, 486, 503 n., 514, 516.
Constantinus Africanus, i. 76 n., 81-83, 86, 449; ii. 123, 751 sq.
Constantinianum, i. 194; Dionysianum at Heidelberg, ii. 249.
Conventatio, See Inception.
Conventio or Conventus. See Inception.
Conventor or Bursae, ii. 278.
Convictor, i. 490 n.
Convocation, i. 458 n.; ii. 791 sq. See Congregation.
Convocation of Canterbury, representatives of Universities in, ii. 519.
Cooper, ii. 543.
Copenhagen, University of, i. 190-91.
Copernicus, i. 245; ii. 77, 660 n.
Coppi, i. 90, 114 n.
Coquerel, College of, at Paris, i. 512 n.
517.
Corbell, i. 49, 417.
Corentinus, Saint, ii. 671 n.
Corleu, i. 273.
Coromnalle, College of, at Paris, i. 455 n., 496 n., 515; ii. 618 n., 671 n., 674 n.
Cornwall, County of, Earl of. See Edmund.
Corner's Inquests, at Oxford, ii. 682 sq.
Corpus Christi College, Oxford, ii. 612 n., 744.
— — Cambridge, i. 490, 569 sq., Corpus Juris Canonici, i. 139, 142.
Correctores, i. 191.
Cosmas, Saint, Church of, at Paris, i. 401 n.; ii. 680 n.
Couicil, Hebdomadal, at Oxford, ii. 751.
See Consiliarii.
Courcou, Robert de. See Robert.
Court, Inns of, ii. 752.
Courteous, Jean, i. 521, 545.
Courtenay, Abp., ii. 429, 430, 433; 494.
Cousin, Richard, i. 25, 37 n., 285 n.; ii. 333 n.
Cowle, i. 521 n., 522 n.
Cox, i. 444; ii. 320.
Crawford, University of, i. 481; ii. 86, 607 n.
Cranmer, Abp. of Canterbury, i. 262.
Crenayr, ii. 616. See Creditor.
Creditor, and Tutor, ii. 616, 779.
Creighton, Bp. of Peterborough, i. 521 n.; ii. 361 n., 531 n., 545 n.
Cremona, Schools of, i. 17 n.
Crevier, i. 371, 376 n., 473 n., 500, 531.
Cricklade, ii. 333.
Croix, Collége de, at Avignon, ii. 177.
Cromwell, Oliver, ii. 398.
Crowland, Monks of, ii. 545.
Croyland, Abbey of, ii. 559.
Crucius, ii. 179.
Crossades, i. 31, 68; ii. 694.
Cujas, i. 261; ii. 201, 205.
Curator, and Tutor, ii. 779.
Curatores Studii, ii. 38.
Cursare, (i. e. legere cursorie), ii. 81 n.
Cursar, i. 427 n., 455, 467; in different sense, i. 428 n.
Cursory, i. 436 sq.; ii. 516 n. See Bil-lectures.
Cursus, i. 465. See also Cursory.
Curtius, Q. i. 65 n.
Curtoisius, College of, at Padua, ii. 19.
Cypriotes, College for, at Padua, ii. 19.
Czechia, ii. 220 sq. See Bohemia.

D
Daenae, ii. 290.
Dannville, College of, i. 497 n., 516; ii. 663 n.
del Borgo, Flaminio, ii. 44.
Daldery, Bp. of Lincoln, ii. 422 n., 424 n., 426, 531 n.
Dallari, i. 90.
d'Alton, ii. 721.
Damato, ii. 96.
Damin, S. Peter, i. 47 n., 107 n., 277 n.
— ii. 731; Church of, at Paris, i. 400 n.
Dancing, i. 187, 298 n., 453; ii. 312 n., 672.
INDEX.

Dance, College of, at Paris, i. 514; studied at Cologne, ii. 292. See Copenhagen.
Daniel de Merlac, i. 323; ii. 338 n.
Dante, i. 237 n., 263, 440 n.; chair of, at Piacenza, ii. 37; at Florence, li. 49.
D'Arbusmont, ii. 187.
Daremberg, i. 75, 77, 80 n., 82 n.
D'Argentor, i. 272; 463 n.
Dauphiné, ii. 181.
David de Dintan, i. 353 n., 354 n., 356, 357, 414.
Davila, ii. 69.
Dean of superior Faculties, i. 327-29, 331 n., 333-34, 397: 400, 403, 405, 406 n., de Reussens, i. 230.
Dervorguilla, wife of John Balliol, ii. 473.
Descartes, i. 165.
Desiderius, Saint, ii. 729. See Victor III.
Desmahé, i. 272.
Desmond, Earl of, ii. 721.
Determination, i. 44, 48; ii. 444, 444.
Determ. See Determination.
Deutsch, S. M., i. 25, 54 n.
Devie, ii. 157.
Dialectic. See Logic.
Diaz, Vivali, ii. 69.
Dictamen, i. 111, 125; ii. 138.
Dictation, i. 436.
Didanus, King, ii. 324.
Diehl, Charles, ii. 735.
Dietber, Alp. of Mainz, ii. 272.
Digest. See Justinian.
Digestum Novum, and Vetus, i. 122, 208. See also Justinian.
Dijon, College of, at Arvignon, ii. 177.
Diniz, King of Portugal, ii. 102.
Dinner. See Meal.
Dinus, ii. 312 n., 258; ii. 33 n.
Diocesanum, Convencium, ii. 249.
Dionysius. See Denys; pseudo.-the Arcopagite, i. 45.
— Cato. See Cato.
Diplomataceus, i. 89.
Discobolus, i. 432.
Discipline, ii. 605-28, &c.
Dispensions, i. 435; ii. 447, 467.
Dispersion of the University of Paris, i. 237 sq., of Oxford, ii. 349. See also Migration, Dissolution.
Disputationes, i. 237, 255, 420, 437-443-48, 453, 466-74; in College and Halls, i. 497 sq.; ii. 623, 626, 649 sq., 653 sq., 773.
Dissection. See Anatomy.
Dissooration of University, i. 381 sq.
Distributio, i. 404 n.
Distributors, at Dole, ii. 189.

Denmark, Universities of. See Copenhagen.
Dentists, i. 235 n.
Denunciatores Doctorum, i. 199.
Denys, Saint, Monastery of, at Paris, i. 52; ii. 136; College of, i. 514; Fair of, i. 418.
Deposito, i. 288 n.; ii. 628-33.
Deposition, ecclesiastical, ii. 419 n.
Depositor, ii. 631 n. See Deposito.
Deposition of Masters and Scholars. See Privatio.
Deputies of University, i. 400.
de Ram, ii. 259.
Derby, Archdeacon of, ii. 420.
de Reussens, i. 230.
Dervorguilla, wife of John Balliol, ii. 473.
Descartes, i. 165.
Desiderius, Saint, ii. 729. See Victor III.
Desmahé, i. 272.
Desmond, Earl of, ii. 721.
Determination, i. 44, 48; ii. 444, 444.
Determ. See Determination.
Deutsch, S. M., i. 25, 54 n.
Devie, ii. 157.
Dialectic. See Logic.
Diaz, Vivali, ii. 69.
Dictamen, i. 111, 125; ii. 138.
Dictation, i. 436.
Didanus, King, ii. 324.
Diehl, Charles, ii. 735.
Dietber, Alp. of Mainz, ii. 272.
Digest. See Justinian.
Digestum Novum, and Vetus, i. 122, 208. See also Justinian.
Dijon, College of, at Arvignon, ii. 177.
Diniz, King of Portugal, ii. 102.
Dinner. See Meal.
Dinus, ii. 312 n., 258; ii. 33 n.
Diocesanum, Convencium, ii. 249.
Dionysius. See Denys; pseudo.-the Arcopagite, i. 45.
— Cato. See Cato.
Diplomataceus, i. 89.
Discobolus, i. 432.
Discipline, ii. 605-28, &c.
Dispensions, i. 435; ii. 447, 467.
Dispersion of the University of Paris, i. 237 sq., of Oxford, ii. 349. See also Migration, Dissolution.
Disputationes, i. 237, 255, 420, 437-443-48, 453, 466-74; in College and Halls, i. 497 sq.; ii. 623, 626, 649 sq., 653 sq., 773.
Dissection. See Anatomy.
Dissooration of University, i. 381 sq.
Distributio, i. 404 n.
Distributors, at Dole, ii. 189.
INDEX.

Dittrich, ii. 211.

Dix-huit, Collège des, at Paris, i. 484, 514.

Doctor, title of, i. 21-22; position of, at Bologna, i. 160, 166 sqq., 197, 239 sqq.; jurisdiction of, see Habita (cf. ii. 564); payment of, i. 207, 210 sq. See also College of Doctors, Graduation.

Doctor bullatus, ii. 751.

— legens, i. 207.

Dogs, keeping of, ii. 671.

d'Oiglé, Robert, ii. 325.

Doket, Andrew, ii. 575.

Dolz, University of, ii. 187-191, 656 n.

Doolinger, i. 3; ii. 215 n.

Dominic, John, ii. 49.

— Saint, i. 346 sq. See also Dominicans.

Dominicans, i. 307 n., 332, 346, 346 n., sq. 527; ii. 23 n., 66, 82, 159, 251, 315-386, 526 sq., 559, 725.

Dominus, title of, i. 146 n., 207.

Donum pauperum, i. 507 n., 516; ii. 219, 261, 665, 760.

Donatian, Saint, College of, at Louvain, ii. 261.

Donatus, i. 35, 71, 434, 436; ii. 456, 515, 602 n., 603, 604, 702.

Donjon, College of, at Paris, i. 517.

Dornen, College of, at Paris, i. 516.

Dorner, i. 52 n.

Dorpi, Adam, i. 539 n.

Drane, Miss, i. 3.

Dress, academical, i. 196 sq., 202, 439, 445 n., 456 n.; ii. 106, 636-44; un-academical, ii. 617 n., 627 sq.

Dreux, Raufer du, ii. 191.

— Robert de, i. 514.

Drinking customs, i. 410, 467; ii. 686-88. See also Soceces, Drunkenness.

Draghda, proposed University at, ii. 721.

Drogo, ii. 6.

Drunkenness, ii. 613, 618 sq., 676.

Dublarle, i. 271.

Dublin, attempted University of, ii. 719-21; Abp. of, see Michael of Tegury.

Dubois, i. 272.

— du Boulay. See Bulaeus.

— du Bois, ii. 158.

Duchoys, i. 148.

— du Breul, i. 272.

Ducale. See Collemium.

Du Cange, i. 147 n.

Duchassaint, i. 204.

Duck, Sir Arthur, i. 90; ii. 511.

Dumbleton, i. 539 n.

Dunmey, ii. 145 n.

Dunbar, Gavin, Abp. of Glasgow, ii. 306 n.

Dunstan, Abp. of Canterbury, i. 531.

Durand of S. Porçain, ii. 535.

Durandus, ii. 185 n.

Durham, University at, ii. 398, 399; Church, City, and Monasteries of, 473, 477-78; College of, at Oxford, ii. 475, 477-78, 622 n.; Bishop see Richard le Poer, Nicholas of Ely, Beck, Richard of Bury, Hathe, Skirlaw.

Duvernet, i. 478.

Dyer, ii. 543.

E

Earthquake Council, ii. 428.

Eberhard, i. 441.

— Count of Wurtemberg, ii. 713.

Echard, i. 345, 486.

Écoiffeur, ii. 170.

Écosais, College des, at Paris, i. 51.

Edgar, ii. 296 n.

Edinburgh, University of, ii. 310.


— Earl of Cornwall, ii. 479.


— I, King of England, ii. 398, 400 n., 463 n.


— III, King of England, ii. 368 n., 494, 495, 662.

— IV, King of England, ii. 394 n., 711.

— VI, ii. 518.

— the Black Prince, ii. 179 n.

Efsio, ii. 55.

Eglesfield. See Robert.

Ehre, Father, ii. 527 n.

Eichstädter, Bp. of, ii. 271, 271 n.

Eline, Bp. of, ii. 92.

Elphinston, William, Bp. of Aberdeen, ii. 309, 310.

Ely, Bp. of, his relations with Cambresis, chap. xii. §§ 8, 9, passim; see Balsam, Montagu, Acock, Keets, Archdeacon of, ii. 555, 593; m of, ii. 545 n.; scholars of, ii. 563.

Embleton, ii. 531 n.

Emo, i. 8 n.

Emperors, their prerogative of four Universities, i. 18 sq.; ii. 22 granting degrees, ii. 751.

Empire, Byzantine, i. 79, 107-8.

Engelbert, Count of Namur, ii. 36.

England, Nation of, at Bologna, i. 185 n.; at Paris, i. 263 n., 319-21.
INDEX.

410 n., 444 n., 455 n., 535, 536, 59; ii. 241, 528, 584, 688 m.; va and Vercelli, ii. 14, 746; per, ii. 152 n.; at Constance, i. 330. See England.

i. College of, at Padua, ii. 19.

students, expulsion or migration to Paris, ii. 330. See England.

William, ii. 683.

n., ii. 639.

58 m., 464, 479, 480 m., 555 n.,

i. 25, 26, 274 m.; ii. 531 n.

University of, i. 9 m., 15 m.,

47, 257, 270, 538, 613 n., 701; ry's Church, at, ii. 246; S. Church, ii. 246.

417.

er, Marquis of, ii. 55.

ille, William d', Cardinal, i. 433, 6, 505, 510; ii. 647.

i. 416.

College de l', at Toulouse, ii.

lege and School, ii. 307 n., 513, 573.

doctrine of, i. 40, 46-47, 53; qv.

243, 250; ii. 240 m., 457, 737.

See Aristippus.

II. Pope, i. 92 n.;

ope, i. 213 n., 552; ii. 38, 156, 4, 198, 257.

saint, Tour of, at Montpellier, ii.

i. 659 n.

m Eternum, i. 383 sq., 529; 40.

trois, Collège des, at Paris,

inm of, ii. 347, 355 n.

resuit University of, ii. 101.

ions, private and public, at a, i. 226 sq., 247-50; at Lounpetitive, ii. 261; at Paris, 339 sq., 393-96, 416-77, ii. 744 44; at Oxford, ii. 8; elsewhere, ii. 687; See also

rue docendi.

of Ravenna, i. 107-8.

et Petri, i. 105.

ii. 241 n., 278, 649, 654.

impositions.

ii. See Walter of Stapeldon, Collège, Oxford, ii. 468 m., 490-91.

ary lectures. See Lectures.

ita, i. 140, 209.

Eynham, Abbot and Convent of, ii. 350, 463.

Ezekiel, Abelard's Lectures on, i. 51, 289.

Ezzelino, family of, at Padua, ii. 14.

F

Fabricius, i. 249 n.

Fabra, i. 31 m.; ii. 44.

Fabri, ii. 44.

Faccholati, i. 187 n.; ii. 10, 745.

Faculties, meaning and nature of, i. 8;


Faculty, superior, i. 9, 310, 318, 331 sq., 403 sq.; ii. 447, 457.

Faminando, L., i. 233 n.

Fanzuoni, i. 89; ii. 745.

Farges, Bernard of, Abp. of Carcassonne, i. 518.

Farinius, Abbot of Abingdon, ii. 333.

Farrar, Dean of Canterbury, i. 405 m.;

ii. 555 n.

Fasting, ii. 630.

Fattorini, i. 89.

Fauciion, ii. 113.

Fees, University of, i. 218, 231, 392, 432, 475-77; for lectures, i. 240-41, and see Collecta.

Fellibien, i. 272, 478.

Felix, Saint, Monastery of, at Bologna, i. 132.

— V, i. 552; ii. 57 n.

—the Senator, ii. 729.

Fellow. See Bursar, Socius.

Ferdinand I, King of Naples, ii. 25 n.

— II, King of Naples, ii. 94.

— III, King of Castile, ii. 67, 68, 70.

— IV, King of Castile, ii. 75, 83.

—the Catholic, ii. 97.

Feret, the Abbé, i. 273, 450.

Fernando, attempted University of, ii. 723.

Ferrara, University of, i. 179 n., 183 n., 188 n., 211 n., 222 n., 425 m.;

ii. 52, 55-56.

Ferretti, Leitão, ii. 101.

Fettine, at Oxford, i. 428 n.

Fetter, ii. 605.

Foulkes, ii. 331.

Fibonacci, Leonardo, i. 243; ii. 736-37.

Fichardus, Johannes, i. 89.

Ficker, i. 91, 107 n., 108 m.

Fife, ii. 298.
Fignerola, Ortii, ii. 99.
Fliesacus, i. 272, 326 n.
Fires, ii. 565 sq.
Firmian, Saint, Church of, at Bologna, i. 152.
Fischer, Kuno, ii. 247.
Fitting, i. 90, 91, 101 n., 103, 104 n., 105 n. sq., 117 n., 122 n.; ii. 137, 729.
Fitz-Ralph, Richard, Abp. of Armagh.
See Richard.
Fitz-Stephen, ii. 751.
Flach, i. 91, 104, 268 n.
Flamma, ii. 718.
Flanders, Nation of, at Bologna, i. 185 n.; at Louvain, ii. 260.
Fleming, Richard, Bp. of Lincoln, ii. 509, 510.
Flemish students at Bologna, College for, i. 204.
Fletcher, C. R. L., ii. 321.
See Rev. Dimock, ii. 321.
Flolery, ii. 84.
Flogging. . . . Punishment.
Floranes, D. Rafael de, ii. 62, 82.
Florence, i. 99, 100 n., 244; University of, i. 126 n., 153 n., 160 n., 169 n., 179 n., 184 n., 193 n., 196 n., 213 n., 216 n., 238 n., 246, 249 n., 534 n.; ii. 45, 46-52.
Inquisition at, i. 324.
Council of, ii. 88.
Florentine Codex at Pisa, i. 255.
Flores Medicinae, i. 82.
Flotte, Pierre, ii. 169.
Foix, Cardinal de, his College at Toulouse, ii. 169, 665 n.
Fools, Feast of, ii. 511.
Forest, John, Dean of Wells, ii. 510.
Forli, ii. 14, 20.
Formula, for a degree, ii. 447 n., 456 n., 757-58.
Formaglioni, i. 89.
Fornasini, i. 90.
Fortet, College of, at Paris, ii. 516.
Fortunato de S. Braventura, ii. 101 n.
Fortunatus, Venantius, i. 107 n.
Fougéres, College of, at Angers, ii. 157.
Founder’s Kin, privileges of, ii. 482, 486, 515.
Fournier, Paul, i. 413 n.
See Marcel, i. 272; ii. 90, 111, 136, 137 n., 146 n., 170, 181, 200, 204, 724, 740.
France, Education in, i. 27-72, 95.
See Nation of, at Angers, ii. 155; Bologna, i. 157 n.; Bourges, ii. 205; Orleans, ii. 146; Padua and Verceili, ii. 14, 746 sq.; Paris, i. 319-321, 403, 405; ii. 584, 585.
Poiitiers, ii. 584.
France, Universities of, ii. 109-105.
See Paris.
Franche-Comté, i. 385; Universities see Dole, Gray, Besançon.
Francis, Saint, of Assisi, i. 346, 348.
See Francisca.
Francisca, ii. 263 n., 348 sq., 368, 518.
ii. 376, 526 sq., 559, 739.
Franciscus Acquisutus, i. 211 n.
Frankfurt, University of, ii. 350 n.
Franklin, i. 478.
Franks, i. 96.
Frati, i. 89, 90, 171 n.
Fraticelli, i. 529; ii. 537, 749.
Frewenburg, ii. 560 n.
Frederick II, Barbarossa, Emperor, 1345 sq., 182 sq., 259, 292; ii. 23, 46.
II, Emperor, i. 10, 83, 84, 173-74; ii. 243, 359 n.; ii. 11, 22, 31, 114.
III, Emperor, ii. 251 n., 266 n.; 723.
Duke of Austria, ii. 44, 656 n.
Freiburg im Breisgau, University of, ii. 441 n., 444 n., 453 n.; ii. 366-69.
French, study of, at Oxford, ii. 449.
Cambridge, ii. 565.
Freshmen. See Bejaunus.
Friars. See Mendicants.
See of Blessed Mary, ii. 559.
Friedberg, i. 138 sq.
Fromagerie, College of, at Angers, ii. 157.
Front, Saint, College of. See Perigord.
Fuentes. See de la Fuente.
Fulbert of Chartres, ii. 148.
Fulda, i. 275.
Fulcher, Thoa, ii. 543.
Fünikirchen, University of, ii. 366; Furniture of students’ rooms, ii. 66; Furnival, ii. 600.
Fuscariasis, Aegidius, i. 138 n.
G
Gaddesden, John, ii. 375 n.
Gaetano di Tien, i. 265 n.
Gaggi, i. 90.
Galliac, Schools of, i. 17 n.; ii. 717.
Galbert, Abp. of Arles, i. 169.
Gauzez, See Viscutti.
Galien, i. 78, 84 n., 244, 247, 499, 115 n., 117, 123, 124, 135 n., 780-85.
INDEX.

us, Nicolaus. i. 515.
us de Vino, i. 442.
us 143 n., 266.
us. Duca Beatrix, ii. 79.
us. Gasulina, i. 97 n.
us. i. 302, 436 n., 532, 534 n.,
us. i. 650, 554 sq.; ii. 164 n,
us. i. 266.
us. i. 195, 462; ii. 670 sq.; on
us. i. 690.
us. See Henry of Ghent.
us. i. 137.
us. i. 78.
us. Spanish Canonist, i. 212.
us. Thomas, ii. 447 n., 581.
us. 181 n. : Nation of, at Bologna,
us. n., 182 n.
us. See France.
us. ii. 198.
us. Vidal, College of, at Toulouse,
us. i. 739.
us. i. 478.
us. i. 515.
us. ii. 137.
us. Girardacci, i. 90, 154 n.; ii. 745.
us. Gibbon, i. 189 n.; ii. 515.
us. Giese, ich. 91, 103.
us. Giseler, i. 52, 47 n.
us. Giffard, John, Lord of Brimsfield, ii. 477.
us. ii. 31.
us. Gilbert de Porree, i. 51 n. 61, 64, 366,
us. ii. 435, 436.
us. Gillidas de Rhyus, Saint, Monastery of,
us. i. 52, 64.
us. Gilles de Montaignu, i. 436.
us. Giraldus Cambrensis, i. 69 n., 279 n.,
us. 281 n., 295 n., 312, 315 n., 354 n.; ii.
us. 338 n., 341, 346, 753.
us. Glasco. University of, ii. 304-308,
us. 312 n., 315; Abp. of, ii. 305 n.; Archdeacon of, ii. 298.
us. Glomerellus, ii. 552 n.
us. Glomerius, ii. 138 n. See Glomery.
us. Glomery, Master of, ii. 555, 598.
us. Glossa. i. 70 n.; ii. 10, 14 n.
us. Gloss, i. 220, 256 sq.; of Inmerius, i.
us. 114 sq.; 122 n.; Accursian, i. 256 sq.
us. Glossa Ordinaria, i. 51 n.
us. Glossators, i. 114 n., 121, 126, 255-29,
us. 268 n. See also Inmerius.
us. Giotto, ii. 305 n.
us. Gloucester, Monastery of S. Peter at,
us. ii. 477.
us. College or Hall, at Oxford, ii. 476-77, 478.
us. Earl of, ii. 482 n.
us. Gnesen, ii. 17.
us. God's House, Cambridge, i. 513 n.; ii.
us. 570-71.
us. Godstow, ii. 411.
us. Godwin, i. 104, 260 n.
us. Gondar, Dammucc, Archdeacon of
us. Toledo, i. 355.
us. Gonville Hall or College, Cambridge,
us. n. 260-67.
us. Edmund, ii. 567.
INDEX.

Gordon, Bernard de, ii. 132.
Gospel, Everlasting. See Evangelium.
Goths, i. 66; see also Brevarium, Visigoths.
Goulet, i. 271, 340 n.; ii. 611 n., 673 n.
Governor. See Gubernator.
Gowns. See Dress, Academical.
Goyon, ii. 136.
Gozzadini, Battisio, ii. 745.
Grace for degrees, ii. 447 sq., 507 sq.
Gracions, i. 471 n.; ii. 202.
Graduation, at Bologna, i. 225-232, 237, 248; at Salerno, i. 84; at Paris, i. 284-94, 442-53; at Oxford, ii. 480-88. See also Bachelor. Examination. Licentia docendi. Inception.
Graetz, i. 353 n.
Gravius, ii. 10.
Grammar, i. 35, 65, 71, 94, 103, 107 n., 234, 238, 243, 291, 433-37; ii. 138, 406, 408, 514, 515, 570 sq.; see also Classics; graduation in, i. 240 sq.; ii. 241, 458, 555, 599, 600.
Grammar-schools, i. 485; ii. 579-604, 609.
Grammawey, ii. 259.
Grandmaison, ii. 204.
Grant, Sir Alexander, ii. 295, 300.
Gratia Arctius, Archdeacon of Bologna, i. 233.
Gratian, and his Decretum, i. 116, 130 n., 128-139, 200, 201, 426; ii. 453 sq.
Graux, ii. 69.
Gray, attempted University at, ii. 188, 719.
Griard, i. 478.
Grecius, i. 441 n.; ii. 240 n. See Eberhard.
Greek, lectures on, at Florence, ii. 49; at Bologna, ii. 30; at Montpellier, ii. 135; at Padua, ii. 20 n.; at Paris, ii. 30; at Rome, ii. 30; at Salamanca, ii. 30; at Oxford, ii. 30, 459 n.; see also Gosssetté.
— language, survival of, in S. Italy, i. 79. See Medice, Aristotle.
Gren, J. R. ii. 326 n.
Grene. See Gregory.
— l'Anglais, Bp. of Seez, i. 517.
Gregory Nazianzen, i. 288 n.
— VII. Pope, i. 106 n., 107 n., 131, 519, 547; ii. 114.
— VIII. Antipope, i. 120.
— IX. Pope, i. 10, 139, 312, 316 n., 337, 340, 341, 385, 479 n.; ii. 139, 150, 151, 547, 741; his letters, i. 130 n., 201; ii. 172 n., 453, 454 n.
— X. ii. 24 sq.
— XII. ii. 24, 225.

Gregory XIII, i. 140 n.
Greifswald, University of, i. 436 n.
Gros, i. 158, 508 n.
Grotto dell'Ero, ii. 10.
Grymbold, ii. 321 n.
Guadal, Cardinal Legate, i. 302 n.
Guarini, ii. 45.
Guarinius of Verona, ii. 55, 603 n.
Guarnerius. See l'Imperio.
Gubernatores of a College, i. 215 n.
Guelders, Duke of, ii. 151 n.
Guelphs, i. 153, 216 n., 258.
Guérard, i. 272.
Guiglielmo. See William.
Gui d'Harcourt, Bp. of Lusignan, i. 316.
Guibertus de Novigento, i. 8 n., 37 n.
Guido, Bp. of Acqui, i. 109.
— of Aresso, i. 243.
— of Barroches, i. 37 n., 390 n.
— Suzarino, i. 313 n.
— Papal Legate (in 1267—, ii. 601 n.
Guidotto of Bologna, i. 249.
Guicciard, College of, at Bordeaux, ii. 79.
Guils, relation or resemblance of Universities to, i. 7, 17, 18, 123 sq., 159 sq., 162, 163, 166, 256, 284 sq., 296 sq., 301, 503; ii. 61 n.; of Bologna in distinction from Universities, i. 177, 651, 337, 753; of Doctors and wives, i. 178.
Guilmarius de Patratula, i. 212 n.
Guillelmus. See William.
Guillemus, family of the, ii. 114, 118.
— de Hostalaco, ii. 746.
Guiraud, ii. 113.
Guillemus, Raymondus, ii. 746.
Guillenmus. See William.
Gunning, ii. 544.
Gutch, ii. 319.
Gynwell, Bp. of Lincoln, ii. 426.

H

Habita, the Authentic, i. 145, 183 sq.
Haezer, i. 75, 86.
Hagelius, i. 9.
Hagenbach, i. 26.
Hahn, Ludwig, ii. 111.
Haits. See de Haits.
Halls, i. 479 sq.; ii. 464-65, 518, 578 n., 585, 599, 600-9, 624-27, 760 sq.
INDEX.

See Hospitium, Paedagogi,
grand, i. 375.
Resdion, i. 250; ii. 781.
Sir William, i. 3; ii. 263 n.,
first Lord, ii. 304.
Bp. of Hereford, i. 25.
on, Dr. Antonius, ii. 251.
owns, ii. 256-57.
ug, House of, ii. 233.
t, College of, at Paris, i. 417 n.,
515; ii. 506, 616 n., 661.
de, Bp. of Limous, i. 516.
al de, Archdeacon of Coutances,
Stephen, Abbot of Cliteaux,
Archdeacon, ii. 577 n.
Cobert, ii. 322.
all, Oxford, ii. 458 n., 491, 500.
,
Sey, Archdeacon, ii. 577 n.
Cobert, ii. 322.
all, Oxford, ii. 458 n., 491, 500.

Dr., i. 287 n.; ii. 337 n., 659 n.
, Bp. See Thomas.
Dean of, ii. 253.
, i. 25, 26, 27 n., 44, 249 n.,
; ii. 531 n.
, ii. 247.
ig, ii. 671, 675.
, Thomas, ii. 210, 543.
study of, See Oriental languages.
Queen of Poland, ii. 219.
, i. 553 n., 356 n.
, ii. 735.
us, i. 65 n.
berg, University of, i. 428 n.,
i. 441 n., 473 n., 474 n., 477 n.;
6, 747-50, 152, 168, 588, 613 n.,
637, 643 n., 649 n., 670 n., 671 n.,
, of Auxerre, i. 274 n.
achensis, Cesar, ii. 115 n.
, Lucretia Cornelia, daughter of
, Dominic Friar, i. 380 n.
dus, i. 275 n.
, i. 55, 63 n.
, ii. 271, 305 n., 478.
, , ii. 184.
II, King of England, i. 131, 295;
9, 546.
King of England, i. 337; ii.
375 n., 391, 418, 546 n., 730.
King of England, ii. 409.
King of England, ii. 456.
King of England, ii. 104, 198,
511, 562, 574, 573, 575.
, King of England, ii. 573, 721.
Henry VIII, King of England, ii. 516,
562, 565, 575, 585 n.
, IV, Emperor, i. 107 n., 117, 131 n., 131.
, V, Emperor, i. 118, 121 n.
, III, King of Castile, ii. 77.
, IV, King of France, i. 553.
, Prince, the Navigator, ii. 105 n.
, of Blois, Bp. of Winchester, ii. 356.
, of Ghent, ii. 529.
, of Houtere, ii. 261.
, de Jaces, Archdeacon and Bp.-elect
, of Liège, i. 295.
, of Langenstein, ii. 237.
, of Lexington, ii. 419, 420.
, de Seguio, See Hostiensis.
, de Stancio, ii. 746.
Henschel, i. 75, 77, 80.
Henson, Rev. H. H., ii. 597 n.
Herbst, ii. 211.
Hermann the German, i. 338.
Hermannus, ii. 730.
Hertford College, Oxford, i. 513 n.; ii.
435 n., 458 n., 491, 607 n.
, Lord Francis, ii. 555 n.
, de Stanton, ii. 593.
, de Stannus, ii. 3.
Hypatius, i. 249 n., 441 n.
Heywood, ii. 572.
Hugenot, Ralph, ii. 352.
Hildebrand, See Gregory VII.
Hilduin, Abbot of St. Nicolas, near
Angers, ii. 148 n.
Hindoos, mathematics of the, i. 243.
Hippocrates, i. 78, 79, 81, 84 n., 131,
244, 347, 430; ii. 115 n., 117, 123,
124, 135, 425, 781 n.
Hobhouse, Edmund, Bp. of Nelson, ii.
481, 657 n.
Hösser, ii. 211.
Hofmelter, ii. 256.
Hohenstaufen, i. 97.
Hokernorton, See Eynsham, Abbot of.
Hocrot, Robert, i. 537 n.
Holden, i. 221; ii. 449, 673-74.
Holland, Prof. T. E., ii. 40, 321, 337 n.,
751, 790.
Holland, Nation of, at Louvain, ii. 260.
Holte, John, ii. 514 n.
Holy Ghost, College of, at Louvain, ii. 261.
Holywell, Oxford, ii. 377, 486 n.
Holywood, See John of Holywood.
Homburg, Geriach von, ii. 249.
Homer, lectures on, ii. 49.
Honor. See Johannesiana.
Honoré, Saint, College of good children
of, at Paris, i. 485, 514.
Honorius I, Pope, ii. 850.

1 II, Pope, i. 133.
INDEX.

Honorious III, Pope, i. 11 m., 157 m., 159 n., 240 n., 245 n., 271 n.; ii. 290 n.; 293 n., 295 n., 326 n., 327 n., 328 n., 329 n., 344 n., 431 n., 435 n.; ii. 28, 29, 57, 159, 731 n., 740, 741, 754 n.

Honours in Examinations, i. 451.

Hood, ii. 640 sq. See Dress, Academic.

Hospital, France de l' i. 515.

Hornay, ii. 232.

Hospicia of Students, i. 296, 479 sq.; ii. 147-48, 587 n., 588, 607-609. See also Halls, Paedagogium, Taxation.

Hostiensis (i.e. Henricus de Segusio), i. 8 n., 115 n., 212 n.

Hôtel-Dieu at Paris, i. 483.

Hosiaus, ii. 638.

Houterle, Henry of, ii. 261.

Hovenden, i. 274 n.

Huliant, College of, i. 513, 516.

Huber, ii. 320, 323, 340 n.

Hubert of Vendome, ii. 148 n.

Huchald, i. 76.

Huesca, University of, i. 91, 92-94.

— Ramon de, ii. 92.

Huet, ii. 194.

Hugh or Hugo', Magister at Oxford, i. 754.

— d'Arci, Bp. of Laon, i. 516.

— of Darlington, Prior of Durham, ii. 477.

— of Lucca, i. 235.

— of S. Victor, i. 278.

— of S. Cher, i. 374 n., 385.

— of Pelveery, ii. 180 n.

— of Sutton, i. 381.

— of Saint, of Lincoln, ii. 462 n.

— of Canal of Bologna, i. 111.

— of one of the 'four Doctors,' i. 130 n., 259.

— of Abp. of Palermo, i. 744.

Hugolinus, i. 209 n., 255.

Huillard-Bréholles, ii. 22.

Hulton, ii. 340.

Humanitii. See Classics, Renaissance.

Humbert II, Count of the Viennois, ii. 181.

— Dominicus General, i. 381 n., 386, 387 n.

Humorist, i. 78.

Humphrey, Duke. See Gloucester.

Hungary, Nation of, at Vienna, ii. 234.

— at Bologna, i. 157 n., 185 n.; Universitatis, ii. 286 n., 290 n.

Hunting, ii. 669.

Hus, John, i. 185, 340; ii. 220, 223, 224, 226, 228, 343 n., 340, 542 n., 700.

Husite Wars, ii. 354.

Hustings, Court of, at Oxford, ii. 401 n.

I

Iginaulfus, legis Doctor, i. 113 n.

Idefonco, San, College of, S. A.

illuminatores, i. 417.

Imola, migration from Bologna to, ii. 16, 33, 47, 736.

Impositions, ii. 615.

Impostor in a Hall, ii. 778.

Inception. i. 52, 84, 148, 150, 317; ii. 284, 89, 306-7, 371 sq., 375, 421.

— 473-77; ii. 445 n., 452-53; in Grammar, ii. 596, 610.

Informator, ii. 514, 515 n.

Infortiatum, i. 122, 208. See Justitiae.

Ingolstadt, University of, i. 417 n.

— 439 n., 442 n., 459 n., 463, 474 n.; ii. 271-72, 352 n., 539, 541, 542, 543.

— 640 n., 654 n., 658 n., 674 n., 680 n.

Ingram, ii. 320.

Ingufl, ii. 322, 545.

Initiation of students, i. 286-87; . 628-36. See Bejaunus.

Innes, Cosmo, ii. 304, 306 n., 309.

Innocent III, Pope, i. 53 n., 248 n.; ii. 300-309, 313, 317 n., 379, 475 n., 496 n., 519; ii. 348.

— IV, Pope, i. 10, 17 m., 204 n., 340 n., 343, 386, 486; ii. 23, 31, 36, 100, 103, 168, 354, 397, 419, 640 n., 724.

— VI, Pope, i. 252; ii. 80, 163, 198, 427 n., 740.

— VIII, Pope, ii. 38 n.

— VIII, Pope, ii. 48, 173, 268 n.

Innocents' Day at Paris, ii. 638.

Inns of Court, i. 255 n., 260, 328, 351; ii. 465 n.

Inquisition, the Holy, i. 244, 361 n.; ii. 161 sq.

Inquisitions, general, at Oxford, ii. 413 sq.

Interdict, academic, i. 181 sq.

Intrusus, i. 455 n. See also for another sense Intrant.

Intrant, i. 297, 455 n.; ii. 304.

Investigations, context about, i. 132.

Irish scholars at Oxford, ii. 362, 365; expelled from Universities, ii. 416.

College of, at Salamanca, ii. 81 n.

Irnerius, i. 95 n., 99 n., 102-5, 108, 109, 219, 322; ii. 124.

Isaac, Jewish physician, i. 439; ii. 113, 781 sq.

Isabella the Catholic, ii. 79.

Isidore of Seville, i. 35 n.

Isip, Simon, Abp. of Canterbury, i. 426, 498, 499 n.

Iseraid, Jean, ii. 177.

Istropolis, ii. 290 n. See France.
INDEX.

Universities of, ii. 1–61; and see a; Education in, i. 91 sq.; of, at Padua and Verceilii, ii. 39.

3.
College of, at Louvain, ii. 261. Chartres, i. 122 n., 139.

J

John, i. 204.
one of the 'four Doctors,' i. 259. See James.
Saint. Place, at Paris, i. 324; of, i. 370. See James.

272.
of Aragon, ii. 96, 100, 119 n.,

Aragon, ii. 86, 92, 100.
g of Scotland, ii. 298.
ing of Scotland (i of England), 305, 462.
quando, ii. 19.
uo v de Belviso o Bellovisus), 342, 185.
oriensis, i. 235 n.
rara, ii. 20 n.
ndia, ii. 6, 736.
vigny, ii. 141 n.
ry, ii. 690, 691.
k, Abp. of Trévès, ii. 264.
sic, i. 61, 350.

263.
Tominigos, Bp. of Evora and, ii. 102 n.

258.
ii. 210 n.

671.
Saint. College at Dole, ii. 190.
San, ii. 97.

64, 363, 544; ii. 107 n., 159.
Nec. Cambridge, ii. 577–78.
3, 332 sq.; ii. 22 n., 249, 376, 660 n.
ord, ii. 31 n., 326 n., 350, 369.

426.
Abbot of Flora, i. 382 sq.

728, 39
sm, i. 259; ii. 739.
Vinc, i. 514; ii. 107.
Queen of Naples and Navarre, 512.
guile, i. 513.

344, ii. 485, 514.
See John.


tus "Homam ben Isaac," i. 430; 780, 71.

II (2).

K

John, Saint, en Vallée, Convent of, i. 516.
—Saint, the Evangelist, College of, at St. Andrews, ii. 300 n.; at Cambridge, ii. 559, 664.
—the Baptist, Hospital of, at Oxford, ii. 513.
—XXI, Pope (Petrus Hispanus), i. 441; ii. 97.
—XXII, Pope, i. 529 sq., 533; ii. 38 n., 41, 72 n., 145, 179, 384, 551, 727.
—XXIII, Pope, i. 547, 549; ii. 8, 57, 173, 202, 434.
—King of England, ii. 348–49.
—King of France, ii. 130 n.
—King of Castile, ii. 77.
—I. King of Aragon, ii. 90.
—II. King of Aragon, ii. 93.
—IV, Duke of Brabant, ii. 260.
Andrea, i. 176; ii. 43, 53.
—of Poictiers, i. 263 n., 349 n.; ii. 539 n.
—of Balliol, ii. 472.
—de Barastre, i. 370 n.
—de Hastingstoke, i. 359 n.
—de Ilandy, i. 436.
—Buridan, See Buridan.
—Cicero, Margrave of Brandenburg, ii. 723.
—of Cremona, i. 120 n.
—of Damascus, i. 41 n.
—of Dunwich (Cambridge), ii. 530.
—of Eglofsheim, ii. 253.
—de Finotis, ii. 53.
—of Guillacourt, i. 560.
—of Holywood (de Sacrobusco), i. 437 n., 442; ii. 456, 528 n.
—of Janon, ii. 540 n.
—de la Celle (de Cella), i. 293 sq.; ii. 357.
—de la Rocheille, i. 363.
—de Lignano, ii. 745.
—London, ii. 363 n., 526 n.
—of Limiers, ii. 250.
—de Matha, i. 402 n.
—de Murs, i. 443 n.
—de Petit-Pont, i. 260 n.
—of Parma, i. 383; ii. 739.
—of Pavilly, i. 512.
—of Pisa, See Peckham, Abp.
—de Sacrobusco, See John of Holywood.
—of Salisbury, i. 25, 64–67, 69, 110, 290, 294, 350, 542; ii. 115, 310, 334 n., 643 n.
—Scottus Erigena, i. 39, 40, 45–47, 173, 357.
INDEX.

John of S. Giles, i. 371.  
— of S. Victor, i. 317 n.  
— Wesel, ii. 246.  
Joly, i. 25.  
Jordan of Saxony, i. 345, 348; ii. 11 n., 13, 26, 376 n.  
Jordanus, i. 4 n., 370 n.  
Josselin, ii. 569.  
Jourdain, Amable, i. 25.  
— Charles Brechillet, i. 25, 34 n., 272, 298 n., 309 n., 478, 524 n.  
Jowett, ii. 439 n., 786.  
Jubilee, at Paris, i. 469 sq.; of a Professor, ii. 85.  

dix Ordinarius, i. 306, 395.  
Jupon, College of, at Avignon, ii. 177.  
Julian, Emperor. Palace of, i. 489.  
Julien-le-Pauvre, Saint, Church of, i. 402, 405, 431, 509.  
Julius II, Pope, ii. 176, 475, 723, 726.  
Jury of compurgators, i. 417.  
juste traite extra i, 343.  
juste ubique or ubique est docendi, i. 10, 750; ii. 551 n. sq.  
Justice, College of, at Paris, i. 516.  
Justitiarius Scholasticus, ii. 24.  
Justin Martyr, i. 46.  
Justinian, i. 39 n., 116, 146, 288 n.; Pandects of, i. 99 sq., 113 sq., 122 sq., 208-209; ii. 454; Institutes of, i. 100, 112 n., 123, 208 sq.; ii. 454; Code of, i. 100, 123, 208-209.  
Justinian at Angers, i. 156.  

K  
Kammin, ii. 265.  
— Bp. of, ii. 266.  
Kampschulte, ii. 242.  
Kariore, Mauritius, ii. 413.  
Kaufmann, Prof. Georg, i. 4, 13-15, 17 n., 147 n., 209 n., 213 n., 222 n., 229 n., 256 n., 280 n., 299 n., 314 n., 389 n.; ii. 32 n., 53 n., 211, 244 n., 263, 610 n., 707 n., 733, 725, 726.  
Kay. See Cairns.  
Kennedy, ii. 300.  
— James, Bp. of S. Andrews, ii. 300.  
Kerambert, College of, at Paris, i. 517.  
Keussen, ii. 251.  
Kilner, ii. 481, 483 n.  
Kilwardby, Bp. of, ii. 425, 537, 530.  
King’s College, Cambridge, ii. 571-74, 649 n., 667; King’s Hall, Cambridge, ii. 581-62, 630 n.; King’s College, Aberdeen, ii. 309.  
Kink, i. 289 n.; ii. 232.  
Knighthood, Inception compared to, i. 340 sq., 288; conferred on Doctors, i. 230 n.  
Kollar, i. 473 n.; ii. 233.  
Koppmann, ii. 256.  
Kosegarten, ii. 264, &c.  
Krabbe, ii. 256.  
Kraus, ii. 268.  
Krause, ii. 256.  
Kreuseler, ii. 254.  
Kühnholtz, ii. 113.  
Kulm, attempted University at, ii. 721.  
Kymer, Gilbert, ii. 625.  
L  
Laborilivre, ii. 191.  
Lacoste, ii. 179.  
Ladislaus of Naples, ii. 186, 228.  
— Jagellor, King of Poland, ii. 214-23.  
Lafaille, de, ii. 157.  
Lambert. See Honorius II.  
Lambertazzi, i. 164, 216 n.; ii. 16.  
Landshut, University at, ii. 172.  
Lanfranc, i. 45.  
Lang, Andrew, ii. 295, 311.  
Langbaine, ii. 319, 543.  
Langham, Simon, Abp. of Canterbury, ii. 499.  
Langton, Stephen, i. 311 n., 318, 457 n.  
Languedoc, ii. 159 sq.  
Laon, College of, at Paris, i. 494 sq.; ii. 6, 604 n., 662 n.  
Lappenberg, ii. 322 n.  
Lascaria, i. 25 n.  
Lasius, ii. 256.  
Laste, ii. 10.  
Lateran, Counts of the, i. 159 n.  
Latin, lectures given in, i. 594: sparsely in College and Hall, ii. 827; quality of Medieval, ii. 595 sq. See Classics, Grammar.  
— Quarter at Vienna, ii. 336.  
Lator rotuli, i. 1490.  
Launoi, i. 3, 272, 478; ii. 627 n.  
Laurie, Prof., i. 4, 81 n., 453 sq.; ii. 326 n.  
Laval, ii. 170.  
Law. Canon, i. 102, 128-43, 148, 149- 261-62, 431-32; in England, i. 140- 41; ii. 453, 54; at Paris, i. 322-3; 449 sq., 469, 492.  
— Civil, forbidden at Paris, i. 8, 315, 431; ii. 139; study of, before Inerius, i. 91-113; ii. 739-31, 735; at Bologna, i. 9-137, 144-332, 254-61, 267; at Montpellier, i. 132-29, 133; at Prage, ii. 214 sq.; relations to Canon Law, i. 132 sq.; at Oxford, ii. 335 sq.; 347 sq., 371 sq., 374 sq., 454, 459, 733; also Bologna, Orleans, Angers, &c.; Abelard’s study of, i. 63; forbidden
INDEX.

sta, l. 323; attitude of Church
i, l. 323; ii. 740-41.
nonal, l. 153.
e, Brother, of Warwick, ii.
21 n., 524 n., 526 n., 529 n.
i. 478.
ii. 76, 85 n.; ii. 780 sq.
er, founder of College at Caen,
rooms, i. 319, 400, 401, 509 sq.;
64.
Ordinary and Extraordinary,
y, i. 207 sq., 211, 213 n., 215,
246 n., 427, and chap. v.
ii. 515 sq., 773; manner of,
hours of, i. 218 sq.; ii. 92 n.;
language of, i. 419; in
yes, i. 498 sq., 502, 507 sq.; ii.
56, 516, 516, 649 sq.
ohns, Abp. of Dublin, ii. 719.
Palp, interference of, l. 319,
4, 419 sq.
Ordinance at Oxford, ii. 349,
Days, l. 403.
Battle of, i. 98.
Earl of, i. 440 n., 466, 657 n.
University of, i. 440 n., 441 m.
451 n., 455 n., 461; ii. 226,
6, 257, 300, 503, 584, 588,
612 n., 613 m., 614, 615 n.
672, 674 n., 676, 689.
11. 319, 405 n.
33, l. 130.
Nation of, i. 157 n. See
names.
Cardinal, his College at Paris,
m. 515, 543
unt Geoffrey, l. 517.
Gaspar Mariano de Varrano,
ii. 730.
39.
College of, at Paris. See
hert.
iversities in. See Salamanca
id, solid.
, Saint, College of, at S. Andrews,
i.
d. l. 90.
Iplata, ii. 49.
III, ii. 237.
University of, i. 160 n., 168,
94 n., 195, 196, 213 n., 233 n.;
m. 86-90.
ary's College at, ii. 90.
Master of S. John’s College,
idge, ii. 664.
i. Count Palatine, ii. 250.
Lexington, Robert, John, Henry, and
Stephen, of, i. 488 n., 514; Henry
of, ii. 419, 420.
Librer Sexti, i. 139; ii. 79.
Fendorum, i. 208.
Tegae. See Galen.
d de Canis, i. 324, 357; ii. 741-42.
Libraries, i. 497 sq.; ii. 493, 494, 478.
Libri, i. 415 sq.
Libri, i. 91, 343 n.
licence. See Licentia docendi.
Licentia docendi, i. 12 n., 84, 223, 228 sq.,
253, 268, 285, 295-307, 337,
passim; ii. 232 sq., 448 sq., 453 sq.
Licentiate, i. 288. See Licentia docendi.
Lichfield, ii. 756.
Liège, Archdeacon and Bp-elect of,
killed, i. 296.
Ignano, Johannes de. See John.
Lignières of Amiens, ii. 250.
Limnaeus, ii. 111.
Linacre, ii. 464.
Lincoln, schools at, ii. 5, 246 n.
diocese of, ii. 576.
Bp. of, his authority at Oxford, ii.
327, 418, 426, 436 n., 439, 493 n., 574,
625; See of, from 1173-1209, ii. 758
(see also Geoffrey, Hugh, Wells,
Grossetête, Henry of Lexington,
Robert of Gravesend, Sutton, Dalderby,
Burghesh, Gynwell, Buckingham,
Replandon, Fleming, Russell).
College, Oxford, ii. 509-10.
Linkeoping, College de, at Paris, i. 556.
Lipsius, ii. 259.
Lisbon, University of, ii. 101-106, 681.
Lisleux, College de, at Paris, i. 516.
Lithuanian College, at Prague, ii. 219.
Little, Mr., ii. 230, 531 m.
Livery, of Colleges, ii. 538.
Livings, College, ii. 497 sq.
Livings, T. de, i. 65 n.
Livonnière, Pouquet de, ii. 148.
Llanthony Chronicle, ii. 345.
Loan-chests, ii. 350 sq., 660 n.
Locke, ii. 313 n.
Logic, i. 34-40, 61-65, 67, 69, 83-94,
110, 324, 420-42, 391, 505 sq.; ii. 128.
New and old, i. 61, 484, 483; ii.
455-57.
Graduation in, i. 346.
Loiselleur, ii. 136.
Lollard, ii. 429 sq., 432 sq., 542.
Lombard League, i. 98; ii. 11, 23.
Lombard, Peter. See Peter.
Lombards, i. 93, 101, 103, 106 sq., 153,
172.
Nation of, at Bologna, i. 157, 182,
184.
INDEX.

Lombards, Collège des, at Paris, i. 515; ii. 646 n.
Lombardy, i. 118.
London, Council at, forbids sale of permission to teach, i. 283.
— University of, i. 22; ii. 712.
— Church of S. John Zachary, ii. 570.
— S. Mary Arches, ii. 528, 751.
— S. Martin, ii. 751.
— S. Paul’s Cathedral at, i. 282 n., 284 n.; ii. 751.
— Bishop of, ii. 419.
— Schools in, ii. 751–52.
— College, Oxford, ii. 758–760.
— Lorraine, Nation of, at Orleans, ii. 146.
— Lorris, Collège de, at Paris, i. 517.
— Loserth, ii. 212.
— Lothair II, Emperor, i. 92 n., 99, 120.
— Lothian, ii. 298.
— Louis VII, King of France, i. 203.
— IX (Saint), King of France, i. 290 n., 385, 419 n., 498 n., 552; ii. 166.
— XI, King of France, i. 433, 472, 508 n., 520, 539 n., 553; ii. 190, 199 n., 200, 204.
— XII, King of France, i. 424; ii. 135.
— XIV, King of France, i. 553; ii. 191.
— the Pious, Emperor, ii. 116 n.
— of Savoy, ii. 56.
— II, King of Jerusalem, ii. 186.
— the Rich, Duke of Bavaria, ii. 270.
— Lowth, Bp., ii. 499.
— Luard, ii. 544.
— Lübeck, ii. 259.
— Lucan, i. 65 n., 66 n., 240; ii. 138 n.
— Lucas Tudenensis, ii. 69 n.
— Locca, University of, i. 235; ii. 722.
— Lucius III, ii. 138.
— Luitprand, King of the Lombards, i. 34 n.
— Lullius. See Raymondus.
— Lundae, Collegium, at Prague, ii. 232 n.
— Lüneburg, attempted University at, ii. 773.
— Lyfusus, ii. 627.
— Luther, i. 525; ii. 204 n., 214, 247, 315, 631 n., 701.
— Luttr, ii. 269.
— Lynwood, i. 140 n., 141 n.
— Lynn, ii. 752.
— Lyon, ii. 295.
— Lyons, Schools and University of, i. 15 n.; ii. 5, 136, 307 n., 713, 741.
— Coucilly of, ii. 11 n.; iii. 360.
— Lyte, Maxwell, ii. 320, 336, 349 n., 362 n., 436 n., 470 n.

M

M. A. See Arts, Doctor.
Maassen, i. 138.
Macaulay, ii. 573 n., 705.
Mackintosh, ii. 304.
Macilou College, at Paris, i. 515.
Macray, Rev. W. D., ii. 341, 343 n., 353 n., 512.
Macrobius, i. 38.
Madan, Mr. F., ii. 321.
Magdalen College, Oxford, i. 495; ii. 513–18, 763.
— Hall, Oxford, ii. 512 n.
— Magdalen College, Cambridge, ii. 519.
— Magister. See Master.
— Sacri palatii, ii. 28 n.
— Scholarum, i. 281; ii. 70, 245, 251, 253 sq.
Magueione, Bp. and town of, ii. 114, 120, 128.
— College of, at Toulouse, ii. 169.
Malloittin, i. 520.
Maimonides, i. 352, 353 n.
Maine, Nation of, at Bologna, i. 15 n., 184 n.; ii. Angers, ii. 156.
Mainz, University of, ii. 272–73.
— Abp. of, ii. 243, 245; Dean of, ii. 253.
— Church of S. Mary at, Dean of, ii. 245.
Maltiland, Dr., i. 25.
— Prov., i. 141 n.
— Maître, Léon, l. 25; ii. 201.
— Maixent, Saint, Abbot of, ii. 192.
— Major, John, ii. 578 n.
— Majorca, ii. 96; Nation of, at Bologna, i. 185 n.
— Malagola, i. 90, 186 n., 189 n., 245 n.
— 350 n.; ii. 560 n.
— Maldein, Prof. of, i. 3, 313 n., 453 n., 478 n.
— Malden, in Surrey, ii. 482, 484.
— Maldonado, Diego de, Abp. of Seville, ii. 81.
— Malines, College of, at Louvain, ii. 261.
— Malinowski, ii. 179.
— Manfred, King of Naples, i. 329 n.; ii. 34.
— Mangold, i. 86.
— Mansi, i. 283 n.
— Mantis, Marcus, i. 89.
— Mantua, Schools at, i. 171.
— Manuel Chrysoloras, ii. 49.
— Map or Maps, Walter, Archdeacon of Oxford, ii. 341 n., 610 n.
— Marboud, Bp. of Rennes, ii. 148.
— Marcel, Etienne, ii. 250.
— Saint, near Paris, ii. 335 sq.
— Marche, Collège de la, at Paris, i. 486, 503 n., 516.
INDEX.

san, ii, 43.
a., Lady, ii, 461.
m of Navare, ii, 575.
try, i, 547.
al College, Aberdeen, ii, 312 n.
orge, Thos. de, ii, 547.
Dom, ii, 725.
atier, Abb of, i, 494 n.
age of, at Paris, i, 215.
ce of doctors and students, i, 86, 183-184, 439; ii, 240, 314, 645, 578, 137.
est, i, 107 n.
ien prison, ii, 406.
se of Inghen, i, 241, 539 n.; ii, 250.
a, ii, 540 n.
, Saint, College of, at Toulouse, 97; at Avignon, ii, 176 n.
, de Champ, i, 279; Col-leof, at Paris, see Marmoutier; of, de Orleais, ii, 679.
ope, i, 392, 553; ii, 48, 71 n., 84, 79 n., 84, 130, 188, 194, 241, 257, 260, 438 n., 550 n. kapher of Wykeham, ii, 499.
au, fr., ii, 531 n.
: Plinius, i, 477, 496, 506 sq.; i n.
, one of the 'four Doctors,' i, 259; ii, 10, 124 n., 753.
ec, ii, 204.
, the Virgin; theological assertions about, i, 464 sq.; im- late conception of, i, 417 sq.; ii, 51 n.
, of Bologna, i, 175; of, at Lerida, ii, 90; at ec. ii, 255 n.; at Oxford, ii, 679; see Oriol, New College'; at andrews, ii, 301 sq.; Hall, at d, ii, 492 n., 760-61.
, 720.
attendance at. See Service, c.
, ii, 193.
ps., ii, 267.
Title of, i, 21, 22, see Doctor; of nor- mics, ii, 129 n.; of a College, v., 425, passim; Grand, see re, College of; of the Schools, agister scholarum.
atives, i, 243, 249, 30, 434 n., 442; ii, 240, 452, 456 sq., 525-526, 667 n., 674.
, of Trintamar. Convent at i, 343, 372 n., 402, 418, 452, 528, See also Trintamars.
, Impress, i, 110 sq.
Matriculation, i, 217 sq., 238.
Matthew, S., and S. Matthias, College of, at Prague, ii, 233 n.
- F. D. ii, 543.
Matthias of Janow, ii, 220.
Matzen, ii, 291.
Maurer, Von, ii, 211.
Maurice, F. D., i, 25.
- Bp. of Paris, i, 290 n.
- Abbots of S. Saviour's, de Monte Arista, i, 112 n.
- of Spain, i, 388, 368, 434.
Maximilian I. Emperor, ii, 241 n., 723.
Meals, i, 201 sq.; ii, 652 sq., 663 sq., 723 sq.
Meaux, i, 75.
- Bp. of, i, 344.
Mecklenburg, Duke of, ii, 265.
Medici, Lorenzo dei, i, 48, 51.
Medicus Dentalsius, i, 235 n.
- Physicus, i, 236 n.
- Venerum, i, 235.
Mehinos, Johannes Micenti, i, 442 n.
Meiners, i, 3; ii, 211.
Melchior, Counts of, ii, 114.
Melen, I, 49; Bp. of, i, 494.
Mempick, ii, 320, 323.
Menard, ii, 777.
Mende, College of, at Montpellier, ii, 131.
Mendo, ii, 69.
Mendoza, Cardinal, Gonzales de, ii, 84, 97.
Merchants, University of, at Bologna, i, 193.
Mercuriales, ii, 329 n.
Mereburg, Bp. of, i, 255.
- Walter de. See Walter.
Messafla or Maschallin, i, 250.
Messengers, University. See Nuntii.
Metaphysics, ii, 702.
Methodism in Medicine, i, 78.
Metz, Schools at, i, 281 n.
Meuse, the river, i, 320 n.
Michaelhouse, Cambridge, ii, 505, 562-63.
INDEX.

Michael Scot, i. 358 sq.
Michel, Saint, College of, at Paris, i. 516; at Avignon, i. 177; at Cahors, ii. 180.
Middendorfius, i. 3; ii. 69.
Middleton, Richard, ii. 535 n.
Mignon, College of, at Paris, i. 516.
Migrations, scholastic, from Bologna, i. 170-75; ii. 7, 9, 11-12, 16, 31, 33, 45, 47, 736; from Padua, ii. 12, 26; between Lisbon and Coimbra, ii. 103-104; from Orleans, ii. 144; from Paris, i. 337; ii. 139, 149, 160, 329-332, 345 sq., 545; from Rostock, ii. 264; from Oxford, ii. 349, 545; from Cambridge, ii. 548; from Turin, ii. 57; from one College or Hall to another, i. 505 sq.; ii. 457.
Millan, Schools at, ii. 728-729.
Milocz, ii. 220.
Mill, J. S., ii. 313, 596.
Millennium, expectation of, i. 31.
Millet, ii. 182.
Millington, William, ii. 572, 574.
Milman, ii. 536 n.
Milo Crispinus, i. 102 n.
Mimi, i. 196, 196, 230.
Miramar, College of Minorites at, ii. 97.
Missin, Nation of, at Leipsic, ii. 256.
Moberly, G. H., ii. 499.
Modena, Schools at, i. 171; ii. 5, 6, 736.
Molanus, ii. 259.
Molière, ii. 147 n.
Molinet, i. 450 n.
Molins, ii. 157.
Mommsen, i. 122 n., 208 n.
Monachus Cisterciensis, i. 539 n.
Monasteries, Education in, i. 28, 42, 91 sq., 274 sq., 345 sq., 487-88; ii. 426 sq., 498-99. See also Benedictines, Cistercians, &c.
Montagu, Bp. of Ely, ii. 549 n., 560.
Montaigne, College of, i. 500 n., 512 n., 515 n.; ii. 310, 610, 640 n., 653. (See also Aicelins.)
Monte Casino, Abbey of, ii. 23 n., 781, 784.
Montell, ii. 113.
Monticar, Cardinal, ii. 169.
Montmajour, Abbey of, ii. 177.
Montpellier, University of, i. 11 n., 85, 171, 226 n., 230 n., 235, 260 n., 266, 323, 428; ii. 112, 113-136, 153, 620 n., 695 n., 688.
Moris, i. 255 n.
Morality, state of, ii. 690 sq.
Moray, Bp. of, i. 215; ii. 295.
More, Sir Thomas, ii. 659 n.
Moriani, ii. 31.
Morin, i. 25.
Morton, Cardinal, Abp. of Canterbury.
ii. 439 n., 514 n.
the Regent, ii. 314 n.
Mosheim, i. 18 n.
Motschmann, ii. 242.
Mullinger, i. 4, 25, 81 n., 284 n., 417 n.; ii. 326 n., 328 n., 340 n., 544, 548 n., 560 n., 757 n.
Mundinus, i. 245, 266.
Munich, University of, ii. 272.
Municipia, Survival of, i. 95, 97 n.
Munck, i. 25.
Muratori, i. 75, 90; ii. 726.
Music, graduation in, i. 22; ii. 458; study of, i. 35, 243, 443; ii. 75, 102 n., 458, 550; practice of, in College a Hall, ii. 668, 671.
Muther, i. 91.

N

Nadal, ii. 181, 200.
Nagel, Francis, of Utrecht, ii. 745.
Namèche, ii. 259.
Nantes, University of, i. 337 n., 480 n.; ii. 201-203, 651 n., 674, 744.
Naples, University of, i. 8 n., 10, 16 n., 84-85; ii. 33-35; influence of its Charter on Salamanca, ii. 71; on Ferrara, ii. 87; on Avignon, ii. 171; on Prague, ii. 314.
Napoleon I, Emperor of the French, i. 86 n.
Napoli-Signorelli, i. 75.
Narbonne, College of, at Paris, i. 515; ii. 169, 613 n., 661 n., 663 n., 676 n., 671 n.
Schools of, i. 17 n., 281 n., 484 n., 494 n., 495 n., 496 n.; ii. 116; province of, at Angers, ii. 155; College of, at Toulouse, ii. 169.
— at Angers, i. 153-54.
— at Leipsic, ii. 256, 258.
— at Louvain, ii. 258, 260.
— at Montpellier, ii. 117, 128.
— at Orleans, ii. 146.
— at Padua, ii. 17.
— at Poitiers, ii. 192.
— at Prague, ii. 217, 225-47.
— at Vienna, ii. 324, 339.
INDEX.

disappearance of, in Germanic nations, ii. 252, 258, 376; voting for Paris, i. 409; imitated at Constance, i. 549 n.
College of, at Paris, i. 402, 401, 99 n., 515, 524; ii. 619, 627, 540 n., 661 n.; Nation of, at Assisi, i. 185 n.
College of, at Prague, ii. 167 n.

Alexander, i. 383; ii. 245 n.
Prof., ii. 17 n.
Maimonides, i. 354
As, instructors of Saracens, i.
Dr., i. 352 n.; ii. 316 n.
migration from Orleans to, ii. 320.
George, Bishop of Exeter, and after Abp. of York, i. 476.
Rolle, Oxford, i. 260 n., 491, 351; ii. 499-508, 511, 512-515, 511, 671, 674 n.
Cardinal, i. 512 n.; ii. 320
... ii. 320.
Richard, ii. 607 n.
Second Council of, ii. 646 n.
Saint, Feast of, ii. 671 n.
...

A. L., 372 n.
ope, ii. 12, 224, 356; ii. 102, 38, 719
pe, ii. 91, 94, 190, 202, 205, 264
us, Cardinal, i. 245
mangus, i. 540 n.; 543, 545, 608 n.
reford, ii. 428
ra, i. 465 n.
ricuria, i. 538.
ian of Salerno, i. 429; ii. 453
in the Louvre, College of, i. 497 n.; ii. 651 n.
i. 285 n.
sm. i. 538 n.
i. 726-27.
Universities, ii. 655, 656.

See William of
sm. i. 43-48, 53, 537-47, 539 n.; ii. 156, 263 n., 269, 271, 296 n., ap. xii., § 7, xxiv.
nts. i. 330, 402 n., 469; ii. 364, 557.
Saint, i. 55, 345.

Nordisla, i. 113 n.
Normandy. See Normans and Cambs.
Normans, i. 118; nation of, at Bologna, i. 157 n., 184 n.; at Paris, ii. 119-121, 193, 524 n.; at Orleans, ii. 145; at Angers, ii. 155.
Northampton, accession from Oxford to, ii. 559-56, 448; rectory of, ii. 562.
Northern scholars. See Boreales.
Northover, ii. 267.
Northumberland, Earl of, ii. 472.
Norwich, Monks of, at Cambridge, ii. 259 n., 586 n.; Bishop of, ii. 320.
Notaric, i. 111 n.
Notarii, i. 93 n., 101; University, i. 190 n., 193. See also Tabellio.
Notre Dame, Cathedral of, at Paris, ii. 279, 370, 398; ii. 597, 602.
de la Pitié, College of, at Avignon, ii. 177.
Novara, i. 245 n., 250.
Novella de Calderiniis, ii. 746.
Noyon, School of, ii. 284 n.; Bishop of, ii. 670.
Numbers in Medieval Universities, ii. 581-90.
Nun Hall, Oxford, ii. 486 n.
Nuncioes, ii. 655 n.
Numi, University, i. 415; ii. 44 n.

O

Oaths, Medieval ideas about, i. 154, 377; academic, i. 117 n., 179, 197.
218, 226, 258, 298-299, 358, 278 n., 390, 439-40; ii. 688-89.
Ochs, ii. 267.
Ockham and Ockhamism. See William of Ockham.
Odo, Abbot of Cluny, i. 255.
Odofredus, i. 63 n., 112 n., 125, 167 n., 181, 190 n., 209 n., 311, 260, 286 n., 258, 417 n.; ii. 5 n., 581, 605 n.
Oxford, University of. See Buda.
Official of Bishop, i. 441, 442.
Officiales Studii, ii. 51.
Ogle, ii. 321, 409 n., 499.
Oliver, ii. 490.
Olivi, ii. 430 n.
Olmütz, Bishop of, ii. 421.
Ommem, the constitution, i. 13 n.
Omnibus, ii. 137.
Ottis, Clodwilde Ptelear, ii. 68.
Opposition, ii. 432.
Optica, i. 442.
Orange, University of, ii. 188-93.
Orcagna, i. 263.
Ordaz, Doncel y, ii. 69.
Ordericus Vitalis, i. 77.
Orders, requirement of, for theological degrees, i. 458 n.; ii. 646; for fellowships, ii. 646 (see also Colleges); Examination for, ii. 702.

Ordinary, Grand, i. 403, 437, 477; Little, i. 477.

— Lectures. See Lectures.

Oriel College, Oxford, i. 490; ii. 374 n., 425-36, 491-94, 762.

Oriental languages, chairs and study of, ii. 30, 80, 82, 97, 459, 521 n.

Origen, ii. 22.

Orlando, i. 89.

ORLEANS, University and school, i. 16-17 n., 19 n., 105 n., 337, 421; ii. 112, 136-48, 192, 206, 309 sq., 606 n., 633 n., 639 n., 683.

— Mary, Duchess of, ii. 196.

— Bp. of i. 38; ii. 137 (see Theodulf).

Orosius, i. 35 n.

Orvieto, attempted University of, ii. 722.

Osea, See Heseca.

Ocumenicae, i. 230 n., 232, 287.


Otho IV, Count of Burgundy, ii. 188, 719.

— Gerald, i. 530.

Otto of Freisingen, i. 48 n., 59.

Ottokar II, King of Bohemia, ii. 213.

Oviedo, College of, at Salamanca, ii. 80.

Oxford, Early history of the City, ii. 323 sq.


— Churches at: All Saints, ii. 509; S. Ebbie's, ii. 376; S. Edward's, ii. 376; S. George within Castle, ii. 325; S. Giles,ii. 404, 414; S. John the Baptist's, ii. 483, 505; S. Martin's, ii. 404; S. Mary the Virgin's, ii. 327, 343, 372, 374, 494, 448, 453, 458, 461, 492, 494, 505; S. Michael's, ii. 509; S. Mildred's, ii. 372, 374, 386 n., 461, 509; S. Peter's in the East, ii. 413, 453 n., 461, 499 n.

— Colleges of, ii. 454-518.

— Archdeacon of, ii. 351, 418, 421, 423 n., 424 n., 427 n.

Oxford, (Rural): Dean of, ii. 353, 471.

— Countess of, ii. 376.

Oxonla, ii. 344 n., and see Oxford.

Ozam, i. 25, 91, 94, 103, 235 n., 267.

P

Pace, ii. 135 n.

Padellettii, ii. 40.


ii. 11 n.

Paedagogium, i. 480-81, 499, 503, 504.

— ii. 461, 299-301, 305, 611.

— at Louvain, ii. 261.

Paedagogus, i. 480 sq., 499 sq., 504 sq.; ii. 148, 156. See Paedagogium.

Palaii, i. 48.

Paley, Stephen, ii. 218.

Palencia, University of, ii. 22, 65-69, 82 n., 138.

Pallium, ii. 639 n., 640 n., 643 n. See Cappa.

Palma, University of, ii. 96-97.

Pamiers, abortive University at, ii. 11 n.: ii. 719.

Pampeluna, College of, at Tolouse.

ii. 169.

Pancirolus, i. 89.

Panormia, i. 129.

Pantheism, i. 44, 47, 362 sq., 357 &c.

Papacy. See Popes.

Papadopolus, ii. 10.

Paper-makers, i. 417.

Papias, i. 103 n.

Papetia, the, i. 102 n.

Paraclete, Oratory of, i. 52.

Parasymphus, i. 472.

Paravacini, Mrs., ii. 472.

Parchment, trade in, i. 417, 418.

— makers, i. 417 sq.

Parsen Sciensiarum, the Bell, i. 339:

ii. 180.

Parsus, ii. 247.

Paris, Bp. of, i. 377; ii. 137. See Maurice, Peter the Lombard, Tempier.

— Chancellor of. See Chancellor.

— Chapter of, i. 378.

— Schools and University of, i. 4, 9-12, 16, 19-22, 48-51, 59-60, 64, 69-70, 271-557, et passim. See Table of Contents.
INDEX.

Pézenas, College of, at Montpellier, ii. 131.
Pezana, ii. 726.
Philaretus, i. 430; ii. 773 sq.
Philip Augustus, King of France, i. 271, 296, 299, 326 n., 333 n., 338, 484; ii. 677, 737, 738.
— IV, le Bel, King of France, i. 290, 406, 418 n., 543; ii. 143, 164, 167 n.
— V, King of France, ii. 145, 188.
— brother of S. Louis, i. 290 n.
— the Good, Duke of Burgundy, ii. 188.
— of Thori, i. 339 n., 393.
— of Valois, i. 530.
—, Count Palatine, ii. 360.
Philippa, Queen of Edward III of England, ii. 495.
Philipps Library, at Cheltenham, i. 200 n.
Phillpotts, Bp., i. 126 n.
Philosophies, the three, ii. 311, 452, 457, 460.
Philosophy, Doctors of, i. 242, see Arts; Moral, i. 62, 68, 434 sq., 437; ii. 453, 458; Scholastic, i. 38–72, 95 sq., 234, 248 sq., 262–68, 350–68; ii. 530–42, 703 sq.; Scotch, ii. 313. See also Realism and Nominalism.
Phillpott, Bp., ii. 577 n.
Physicians, College of, in London, ii. 795.
Placenza, University of, i. 11 n.; ii. 35–36.
Picardy, Nation of, at Bologna, i. 157, 184 n.; at Paris, i. 310, 321 n., 423, 512 n., 545, 555; at Orleans, ii. 146.
Pioquart, Honorat, i. 182.
Pielmont, Universities in, See Verceil, Turin.
Pignaniol, i. 111.
Pileum, ii. 641–42. See Biretta.
Pillus, i. 171; ii. 5.
Pillory, ii. 413 n.
Pilottelle, ii. 192.
Pinguinus, ii. 56.
Piispe, University, i. 230.
PisA, i. 99, 255; Schools and University of, i. 17 n., 107 n., 160 n., 221 n., 231 n., 243 n., 253; ii. 44–46, 48, 50, 52; Council of, ii. 345, 548; ii. 297.
Piton, i. 184.
Placentinius, i. 171, 255; ii. 5 n., 39, 124.
Placentia, i. 452.
Plaou, Peter, i. 548 n., 551.
Plato, knowledge of, i. 37–38; ii. 744, 745.
Plays, ii. 674, 675.

Pluaznalski, ii. 531 n.
Plissis, Schools of, i. 464 n., 494 n.
— College of, i. 515; ii. 661 n., 663 n., 689 n.; Geoffrol du, i. 515.
Pliny the Elder, ii. 184.
Poaching, i. 678.
Poel, Robert van den, his College at Louvain, ii. 261.
Poetry, Chair of, at Florence, ii. 49.
— (or verse making in) Schools and Universities, ii. 131, 363; ii. 241 n., 663.
Poets, College of, at Vienna, ii. 241 n.
— Laureate, ii. 459.
Poitiers, University of, i. 524; ii. 191–93.
Poitou, Nation of, at Bologna, i. 157 n., 184 n.
Poland, Nation of at, Bologna, i. 157 n., 185 n.; at Prague, ii. 117; at Leipzig, ii. 256; University in, see Cracow.
Poligny, temporary University at, i. 191.
Politian, i. 261.
Polydore Vergil, ii. 664 n.
Pomare, Hugues de, i. 516.
Ponz, Domingo, of Lerida, ii. 90.
Poole, Dr. K. L., ii. 25, 70 n., 249 n., 274 n.; ii. 223 n., 347, 745.
Poor students. See Poverty.
Popes, their relation to Universities: degrees, i. 10 sq., 352 sq.; ii. 19, 448 n., 750–51.
Porphyry, i. 37–39; ii. 455, 456.
Porrus, Bonocerusus, i. 192 n.
Port, ii. 148.
Portionist, at Merton, ii. 488.
Portugal, Nation of, at Bologna, i. 157, see Universities of, ii. 151–157.
— Postmaster at Merton, See Portcullis.
Porto, See Pressburg.
Potations. See Drinking.
Poucchet, i. 75, 91.
Pouchot, i. 272.
Poverty of medieval scholars, ii. 656–61.
Præceptor, i. 507 n.
Præuctor, i. 508 n.
Præpositus, at Salerno, i. 82. See Provost.
Prague, University of, i. 440 n., 441 n., 442 n., 445 n., 451 n., 540; ii. 211–21, 236, 252, 269, 282 sq., 289, 604, 611, 637 n., 643 n., 656 n., 668 n., 666.
Pratt, i. 23; ii. 270.
Preachers, Order of, See Dominicans.
Precaux-churches, at Paris, ii. 401 sq.; a 674, 678 sq.
Preceptor, Control of Schools by, i. 131.
Prêbles, Collège de, i. 515.
Prémontré, Abbot and College of, at Paris, i. 345, 514.
INDEX.

Prepositors of a nation, i. 186 n.
PRESSBURG, i. 176: University of, ii. 289-90.
Frezner, ii. 46.
Premorse, i. 113.
Primaestus, i. 107 n., 281; ii. 78, 172, 186, 201.
Principal of Hall, i. 480, 481, 497, 501 sq.; ii. 466-68, 607 sq., 625 sq., 760-62, 767-80; of Scotch Universities, ii. 308.
Principium, i. 466, 466, and see Inception.
Prior at Salerno, i. 83; of Doctoral Colleges, i. 197, 231; ii. 78, 196; in Colleges, i. 490, 497; ii. 166, 170, &c.; of a Nation, i. 403; of University, i. 189; Deputy of Rector, i. 189.
Prisci.an, i. 35, 71, 249 n., 434, 436; ii. 455, 457, 604.
Prison, Chancellor’s, at Paris, i. 306, 339.
Proctor, i. 228. See Examinations.
Proctor, i. 182, 186, 197, 306, 420, &c.
Proctor, see Proctor.
Procrus, i. 354 n.
Proctors, at Bologna, i. 162, cf. 185; at Paris, 313-17, 321 n., 329, 400, 405, 410, 554; at Montpellier, ii. 121; at Orleans, ii. 140 sq.; at Oxford, i. 314 n., 321 n.; ii. 385-74, 441 n., 447; at Cambridge, i. 314 n., 321 n.; ii. 554; at Angers, ii. 154; at Louvain, ii. 258 n.; at Toulouse, ii. 165; at Vienna, ii. 239 sq.; in Scotch Universities, ii. 298, 305, 306, 315.
— of a College, i. 483, 487 n., 494.
— of a Guild, i. 315 n.
Procuration, see Proctor.
Procuration ad litum, see Syndics.
Professions, the Church and the, ii. 696 sq.
Professor, title of, i. 21, 22; evolution of modern, ii. 178 sq., 301; endowed, at Oxford, ii. 460-61, 516; in Scotland, ii. 312-314. See Doctor, Stipendia. Promotion, right of, i. 214; Colleges of, see College of Doctors.
Promotor, i. 227; ii. 358, 533, 734.
— Generalis, Universitatis, i. 414; ii. 258.
Propinquiores, i. 688.
Prostitutes, punishment of, ii. 399 n.
Protector of a College, i. 202; of a University, ii. 105.
Provence, Nation of, at Bologna, i. 157 n., 185 n.; at Montpellier, ii. 117; at Aix, ii. 187 (see Aix); at Palma and Verceil, ii. 14, 746 sq.
Provinces, at Paris, i. 321.
Provincialis, i. 314 n.
Provisor of a College, i. 484, 485, 490, 494; ii. 479.
— Studii, ii. 48 n., 253, 273.
Provost of Paris, i. 306 sq., 374 sq., 411 sq.; of a Nation, i. 185 n.; of a College, ii. 406, 495.
Prum, Abbots of, see Regino.
Prunelle, ii. 113.
Psychology, i. 437.
Ptolemy, i. 250.
Publica, i. 238. See Examinations.
Pullen, Robert, Cardinal, ii. 335, 340 n.
Pulling, i. 287; ii. 696.
Puncta, i. 199, 226 sq.
Punishment, corporal and other, i. 287 n., 296, 507; ii. 307, 509, 609-16, 779.
Purgation, i. 410, 417.
Purse, as part of official insignia, ii. 634 n.
Puschmann, i. 75.
Pusey, Dr., ii. 439 n., 786.
Puygareau, College of, at Poitiers, ii. 193.
Pynsons, ii. 456 n.
Pythagoras’ School, at Cambridge, ii. 481, 483 n.

Q
Quadrangle, evolution of the College, i. 489 sq.
Quadrant, i. 350.
Quadrivium, i. 34 sq., 64, 109 n., 434, 468; ii. 452.
Quittance, i. 230, 439.
Quoestor Araris, i. 414.
Quartier latin, i. 341, 387; ii. 677 sq., 691.
Quasi lignum vita, the Bull, i. 380 sq.
Queen’s College, Oxford, ii. 466, 496-98, 500, 502 n., 518, 629, 664, 762.
— Cambridge, ii. 571-76.
Quenfin, Saint, Church of, i. 485; Dean of, see Jean de Barasstre.
Queuté, i. 345, &c.
Quicherat, i. 478.
Quinlivan, i. 65.
Quodlibetica, i. 451, 457 n.

R
Rabanus Maurus, i. 36 n., 46, 274 n.
Rabelais, i. 135.
Raginaldus de Boxevilla, ii. 746.
Ralegh, Bp. of Norwich, ii. 375 n.
Raleigh, T., i. 271.
Ralph of Simplingham, ii. 358 n.
— of Coggeshall, i. 337 n.
Ramus, i. 285, 438 n., 455 n., 500.
INDEX.

Rangeard, ii. 148.
Katherius, Bp. of Verona, i. 92.
Katisbon, Bp. of, ii. 241.
Kratramus, i. 46.
Ratzburg, ii. 265.
Raumer, ii. 211.
Ravenna, Schools and legal fame of, i. 107 sq., 117 sq., 133 n.; ii. 731; Abp. of, i. 117.
Raymond, Saint, College of, at Toulouse, ii. 160.
— Count of Toulouse, ii. 160.
— of Baux, ii. 182.
— of Pélégry, ii. 180.
Raymund, Abp. of Seville, i. 353.
— Abp. of Toledo, ii. 784.
— Guillelmus, ii. 746.
Raymundus, Lullius, ii. 96, 133 n.
— Soquerti, ii. 725.
Razes, i. 248; ii. 118, 123. See Rhazes.
Reading, ii. 349, 428, 433.
Realism, i. 39, 50, 62, 63, 356 sq., 538, 539 n.; ii. 202 sq., 250, 253, 269, 271, 296 n., 435, chap. xili, § 7 passim.
Real presence. See Eucharist.
Rececr de Ledecc, Abp. of Prague, his College at Prague, ii. 232 n.
Receptio, i. 403, 410, 414.
Rector, at Bologna, i. 164, 168, 172, 74, 178, 183, 90, 196, 98, 233 sq.; at Paris, i. 205, 206, 207, 208, 215, 304, 305, 400, 418, 423 sq.; as equivalent of Proctor, at Paris, i. 314; at Oxford, i. 314 n.; ii. 369, 70; at Cambridge, i. 314 n.; ii. 370, 554; in Scotch Universities, ii. 305 sq., 315; of a College or Hall, i. 202 sq., 481 n., 907 n.; ii. 249 n., 278, 491.
— equivalent of Regents, i. 314 n., &c.
— external, of a College, ii. 565 sq.
Rectoria (i.e. Nation), i. 14, 74 sq.
Rectorship, ii. 51, 244.
— at German Universities, ii. 246.
Rede, William, Bp. of Chichester, ii. 458 n.
Redman, Bp. R., ii. 561 n.
Reformation, the Universities and the, i. 566 sq.; ii. 214, 230, 542.
Reformationes studii, i. 213 sq.; ii. 20, 38, 50, 56.
Refusus, ii. 305.
Refutare, i. 457.
Regency, system of, necessary, i. 423, 455 sq.; ii. 300 n.
— superseded by Professorial system, ii. 81; its collapse at Paris, i. 500 sq.; at Oxford, ii. 460, 516, 517.
Regentia (i.e. Hospitium or Paedagogium), i. 481 n.
Regents, i. 403 sq., 432, 453, 533; ii. 306 sq., 311–14, 364, 373 sq., 647, et passim.
Regents, honorary, ii. 510, 511.
— in Colleges and Halls, i. 499–511; ii. 516.
Rigoglio, Schools and University of, i. 12 n.; ii. 5–6, 736; College of, at Bologna, i. 200.
Regimen Sanitatis Salerni, i. 81; ii. 783.
Reginald. See Raginaldus.
Regino, Abbot of Prüm, i. 129 n.
Regrators, at Oxford, ii. 462 n.
Reid, the Philosopher, ii. 303 n., 313 n.
Reims, Schools of, i. 13 n., 275, 292, 337, 485 n.; ii. 5, 610 n., 724; Abp. of, i. 54 n., 343, 517 n.; College of, at Paris, i. 517.
Remigius, i. 274 n., 275, 377.
Remusat, Baron de, i. 25.
Renaissance of the twelfth century, i. 30 sq., 75 sq., 91 sq., 242 sq., 254 sq.; the later, 261, 264, 265; ii. 635, in Oxford, ii. 49–50, 135, 457 n., 464, 514–15; in Spain, ii. 79, 101.
Renan, i. 26, 265 n., 264 n., 265 n., 353 n., 357; ii. 21, 706, 739.
Renazzi, ii. 27.
Renier, Jean, i. 516.
Rennes, ii. 203.
Renzi, de, i. 75, 77, 80 n.
Repellentia, i. 320, 250 sq.
Repetition, i. 25, 251.
Reepingdon, Bp. of Lincoln, ii. 436.
Residence in College or Hall, requirements of, i. 506, 507; ii. 608 sq.
Responsions, i. 251 n., 445; ii. 441, 597.
Resumptio, i. 474; ii. 649 sq.
Rethel, College of, at Paris, i. 517.
Reuchlin, ii. 147 n.
Revelley, Abbey of, i. 325, 479.
Rhagdern, Saint, Convent of, ii. 575.
Rhazes. See Rhazes.
Rhenish Nation at Vienna, ii. 339.
Rhetoric, i. 34, 35, 94, 103 sq., 107 n., 109 sq., 234, 242, 249, 268, 434, 436, 440–42; ii. 240 n., 457, 459; degrees in, i. 243; ii. 459, 600 n.
Riancoy, ii. 111.
Ribeiro, ii. 101.
Ricci, i. 90, 108 n., 113 n.
— Guillaume, ii. 177.
Riccobonus, i. 425 n.; ii. 10.
— II, King of England, ii. 222, 401 n., 583.
— Anglicus, ii. 750.
— of Baden, ii. 564.
Semi-commensalis, ii. 657 n.

Semi-communarius, ii. 657 n.

Sempringham, Order of, ii. 559.

Senanque, Abbot and College of, ii. 177.

Senatus (i.e. Convocation), at Cambridge, ii. 556 sq.; Academicus, in Scotland, ii. 308, 311.

Senatus, Prior of Worcester, ii. 348 n.

Seneca. i. 36; ii. 138 n.; chair of, ii. 37.

Seneschal, or Steward, at Oxford, ii. 409.

Senior of a Bursa, i. 481 n.

Senlis, Bp. and Dean of, i. 343, 344.

Sens, Council of, i. 54, 55; Abp. of, i. 54 n.

Sentences. See Peter Lombard.

Sententiarus, i. 466, 467.

Sereno. i. Pope, ii. 550 n.

Serjeants-at-law, ii. 287 n., 308.

Serjeants’ Inn, i. 308.

Sermons, University, i. 492, 467-68; ii. 344, 623, 633; Examinatory, i. 467; ii. 380 sq., 423.

Servitorius, ii. 92.

Servants, College, ii. 618 sq., 660, 776 sq.

Servatus Lupus, Abbot of Ferrières, i. 36, 274 n.

Service, Divine, attendance at, i. 203, 487 n.; ii. 625, 621-521, 655, 708.

Servitors, ii. 656-58.

Seth, Prof., i. 36.

Seville, Studium Generale of, ii. 81-82; Abp. of, see Raymund, Mendoza.

Shadwell, Mr., ii. 321, 491, 492 n.; 767.

Shairp, Principal, ii. 295.

Sheppard, Mr., ii. 499 n.

Sherborne, Prior and Convent of, ii. 470 n.

Serranus, ii. 577.

Shirking, ii. 307 n.

Shottesbrooke, ii. 675.

Silvamius, ii. 6.

Silica, Nation of, at Bologna, i. 184 n.

Skymund, ii. 169.

Sienna, University of, i. 14 n., 175; ii. 31-34, 47, 736.

Strete Partidas of Alfonso of Castile, i. 8 n., 13 n.; ii. 72 sq., 78, 83 n.

Sigebert, ii. 545.

Sicibertus, ii. 736.

Sigmund, Emperor, i. 546; ii. 33 n., 57, 288.

Signorelli, ii. 22.

Sigo, Abbot of S. Florent, ii 148 n.

Sigonius, i. 89.

Sigenza, University of, ii. 97-98; Convent of S. Antonio at, ii. 97.

Sigillus, i. 36 n.

Siluria, ii. 305 n.

Silvester, Saint, ii. 10 n.

Simon of Tournai, i. 355.

Simondi, i. 65 n., 540 n.

Sixtus IV, Pope, ii. 45, 58, 95, 176, 183, 272, 437, 559 n., 566 n.

V, Pope, ii. 723.

Skelton, ii. 310, 459 n.

Skirlaw, Walter, Bp. of Durham, ii. 472.

Smith, William, ii. 320, 469.

Societas, i. 194 n. See Socrus.

Socrus, i. 194, 195 n., 239, 481, 491; ii. 655.

Sols-sons, Council of, i. 53, 54, 285.

Bishop of, ii. 679.

Somerville, Sir Philip, ii. 474.

Sophist, ii. 641 n., 773.

Sophister, General, ii. 456.

Sorbonic, i. 467 n., 468, 491 n.

Sorbonne. House or College of, at Paris, i. 489, 495 n., 514, 554; ii. 249, 471 n., 617 n., 618, 621, 665, 667 n.

La Petite. See Calvi.

Sorbonne, Robert de. See Robert.

Spain, Universities of, i. 13, 14 n., 232 n., 279; ii. 65, 101, 107; Nation of, at Bologna, i. 157 n., 185 n.; at Padua and Verceilli, ii. 14, 746 sq.; College of, at Bologna, ii. 194 n., 200 sq., 213 n., 231 n.; ii. 653 n., 660.

Specht, i. 244 n.

Spinosa, i. 353 n.

Spire, ii. 250.

Spurzai, i. 273; ii. 585 n.

Spirk, ii. 311.

Sprott, ii. 543.

Stamford, temporary University at, ii. 397-398.

Stanbridge, ii. 515.

Standon, Jean, i. 512 n.; ii. 261, 620, 640 n., 653 n., 663.

Staatszucht of Znaim, ii. 228.

Stanton, Hervey de, ii. 653.

Stapeldon, Walter, See Walter.

Stapeldon Hall, Oxford. See Exeter.

Stato Universitatis, i. 190 n.

Statarius, i. 191 sq., 192, 415, 415 sq.

Statius, i. 240.

Statutarii, i. 191, 304 n.

Statutes, at Bologna, i. 175, 190 sq.

— earliest, at Paris, i. 300 sq., 310, &c.


— Paduan, discovery of, ii. 17 n.

Stephen, Sir James, ii. 410 n.

— Saint, Church of, at Bologna, i. 219; at Vienna, ii. 233 sq.

— of Lexington, Abbot of Clairvaux, i. 488.

— of Tournai, i. 58 n., 280 n., 304 n.

Strickland, ii. 98 n.
Steward, of University, at Oxford, ii. 409, 790.
Stewart, H. F., i. 34 n.
Steyerer, ii. 251.
Stocker, ii. 247.
Stocks, i. 203.
Stölzele, Dr. Remigius, i. 54 n.
Stramminus, Victor. See Rue du Fournier.
Stratford, Robert of, Abp. of Canterbury, ii. 439 n.
Strobelbergerus, ii. 113.
Strolus, Radulphus, i. 248 n.
Stübel, i. 214.
Students, Universities of, i. 7, 17-21. See also Bologna, and vol. ii. passim.
Studium, i. 7. See Study Generale.
— commune, synonym for Studium Generale, q. v., i. 8 n.; ii. 347.
— Generale, meaning and usage of term, i. 7-19; ii. 3-5, 32 sq., 72 sq., 144 n., 243 sq., 550 sq. et passim.
— respectu regni, i. 15; ii. 73, 83, 107.
— ex consuetudine, i. 12; ii. 215 n., 244.
— particularis, ii. 72, 83, 99, 100, 104 n., 213. See Study Generale.
— solemnitas, synonym for Studium Generale, q. v., i. 8 n.
Studies in College rooms, ii. 669.
Styria, students from, ii. 213.
Subitii, i. 238.
Sudbury, Simon, Bp. of London, ii. 475; Sueda, College de. See Sweden.
Suetonius, i. 65 n.
Sugerius of Brabant, i. 362 n.
Summulae, i. 441; ii. 240.
Summae, i. 455 n.
Sunday, observance of, ii. 156 n., 674 sq.
Superintendents of a University, ii. 241.
Supervisors or Clerks of the Market at Oxford, ii. 409.
Supper. See Meals.
Suipplicat, i. 248; ii. 507 n.
Suppositi Universitatis, i. 415.
Surgery, i. 235, 242, 245-48, 418-19; ii. 132-35.
Suspension from Regency or Scholarly, ii. 365, 420.
Sutton, Bp. of Lincoln, ii. 355 n., 422, 424 n., 425, 473 n., 474 n.
Suverano, Guido, i. 213 n.
Sweden. Universities of, see Upsala; College of, at Paris, i. 515.
Sybil, i. 211.
Sylvius, Eneas, ii. 54 n.
Symeon of Durham, i. 173 n.
Symonds, J. A., ii. 686 n.
Symons, Warden of Wadham, ii. 440.
Syndic, office of, at Bologna, i. 180.
— (or common Advocate), at Bologna, i. 193; at Paris, i. 414.
— Syndicus, i. 180.

T
Tabard, ii. 639 n., 640 n., 642, 643 n.
Tabellio, i. 93 n., 107 n., 111. See Notary.
Taborites, the, ii. 230.
Tabula, i. 105 n. See Gambling.
Tacitus, M. Cornelius, i. 65 n.
Tackley's Inn, Oxford, ii. 492.
Tacoil, ii. 6.
Taddeo Pepolo, L 217; ii. 47.
Talleyrand, ii. 707.
Tarlazzi, i. 108 n.
Tartarii, scholars, at Padua, ii. 19.
Taxation, of students' rents, i. 149 f.; ii. 181, 193-241, 478; iii. 360 sq., 399 sq.; exemption from, i. 421 sq., 423 sq.
Taxator. See Taxora.
Taxilla, i. 195 n. See Gambling.
Taxora, i. 192; ii. 361, 362, 368 n.; 54-velty, at Athens, i. 288 n.
Tello, Bp. of Palencia, ii. 65 n., 66.
Templer, Bp. of Paris, ii. 527.
Templarium, i. 450. See Examinations:
in another sense, i. 459 n.
Templariorum, i. 450. See Examinations.
Tencarnarii, Zeno, Bp. of Avignon, i. 199.
Tentative, I 466.
Tentil, ii. 201.
Teviotdale, Nation of, at Glasgow, ii. 305.
Thadeus, i. 236, 237, 246.
Theobald, Abp. of Canterbury, i. 101; ii. 336.
Theobaldus Stampensis, ii. 333-35.
Theodic, King of the Goths, ii. 728.
— of Lucca, i. 235 n., 245 n.
Theodosian Code, i. 100 n.; ii. 729.
Theodosius I, Emperor, i. 144 n.
— II, Emperor, i. 144 n., 145.
Theodulf, Bp. of Orleans, i. 103 n.; ii. 610 n.
Theodulphus, ii. 610 n.
Theologus, in Cathedra, i. 281 n., of 282 n.
Theology, the study at Paris, i. 9, 11. 317 n., 457, 461-74, 485-93, 508 sq.; at Bologna, i. 136 sq., 231-53, 261 sq.; at Montpellier, ii. 130; at Oxford, i. 334, 336, 371, 481, 482 et passim; its place in medieval education, i. 698 sq.
— scholastic, i. 40-62, 93-94, 350 n.
INDEX.

Ulfsson, James, Abp. of Upsala, ii. 291.
Unger, Bp. of Angers, ii. 148.
Ulrich of Vienna, ii. 234.
Ultramontani, at Bologna, i. 156-59, 178 et passim; at Padua, ii. 15, 17 n.; at Pisa, ii. 45, cf. ii. 51; at Salamanca, ii. 77, 107 n.
Unity of Intellect, i. 263 n. See Averroism.
Universe. See Realism, Philosophy (Scholastic).
Universitas Studii, i. 19 n.
Universities which never existed except on paper, ii. 719-23; falsely so called, ii. 723-26; for list of, see Tables of Contents.
University, meaning of term and origin, i. 6-19, 293 sq.; ii. 144 n. See Studium Generale.
— College or Hall at Oxford, ii. 469-72; at Cambridge, ii. 653-64.
Uppsala, University of, i. 290-91.
Urban IV, Pope, i. 361, 389; ii. 15, 68, 656 n.
— V, Pope, i. 250 n.; ii. 16, 45 n., 131, 133, 173, 182, 236, 427 n., 473 n.
— VI, i. 536, 543; ii. 237, 243, 245, 248, 251, 283, 722.
Urbano of Bologna, i. 263 n.
Urscpetg Chronicle. See Richard of Ursberg.
Utraquist, ii. 231.

V
Vacarius, Jurist, ii. 335-36.
Vacations, i. 221, 477; ii. 310 n.
Vaissette, ii. 157.
Valbonnais, ii. 181.
Valence, University of, i. 172 n., 181, 200-101; Count of, ii. 200; Mary of, i. 565.
Valencia, University of, ii. 99-101; Nation of, at Bologna, i. 180 n.
Valladolid, University of, i. 230 n., 466 n.; ii. 68, 82-85; Synod of, ii. 67.
Vallauri, ii. 56.
Vallis Scholarium, Order and College of, i. 271 n., 514.
Valmagne, College of, at Montpellier, i. 130, 131.
Valois, House of, i. 519.
Vast, Saint, Abbot of, i. 515.
Veiga, Manuel de, ii. 101.
Vendôme, College of, at Paris, i. 516.
Venice, i. 264; ii. 20, 21.
Verceil, Schools and University of, i. 126, 158 n., 314 n.; ii. 12-14, 26-27, 738, 740 sq.
Venetii, ii. 43.
Verdala, Arnaud de, College of, at Toulouse, ii. 169, 653 n.
Vergi, Abbot of Cluny, i. 514.
Vergier, Jehann de, College of, at Montpellier, ii. 132.
Verneule, ii. 350.
Verona, i. 165 n.; Schools, and attempted University of, i. 92 n.; ii. 721 sq.; March of, i. 118; Bishop of, see Katherius.
Verse-making, i. 66, 437; ii. 744.
Vesperiae, i. 454, 474.
Vesuspin, Schools of, ii. 286.
Vis, at Heidelberg, ii. 250; at Ingolstadt, ii. 271; in Scotland, ii. 266 n.
Vice-Chancellor at Oxford, i. 187; ii. 440, 785-90. See Chancellor.
Vicennarius, ii. 484.
Vicenza, University of, i. 156, 158 n., 171; ii. 7-8, 736.
Victor, Saint, Abbey of, at Paris, i. 49, 278, 340 n., 350; ii. 131; College of the good children of, i. 486.
— III, Pope, i. 81.
Victus Straminus. See Fouarre, Rue de.
Vigias, Dr., ii. 101.
Vienne, Council of, i. 233, 476; ii. 20, 79, 459.
Vigile, ii. 113.
Villa-Majors, Visconde de, ii. 101.
Villaneuva. See Arnauld.
Villani, Giovanni, i. 244 n.
Villaret, ii. 136.
Villasuri, ii. 36.
Vincennes, i. 530, 536 n.
Vincent of Beauvais, ii. 784.
Virgil, i. 36, 53, 66 n., 240; ii. 603, 739.
Virginii Maro of Toulouse, i. 34 n.
Virivive, Vallet de, i. 3.
Vischer, ii. 269.
Visconti, Gian Galeazzo, II, ii. 36, 37, 53, 54, 57, 726, 728.
— Filippo Maria, ii. 54.
Viggoths. See Goths.
— connexion with Montpellier, ii. 114.
Visitation of University of Oxford by Archbishop or Bishop, ii. 425, 433-37.
Visitor of a College, i. 490, 493, etc.
Vision, Retardation of Heavenly, i. 530.
Vitello, ii. 457.
Vocabulis, the, i. 103 n.
Voigl, ii. 211.
Voleckman, ii. 311.
INDEX.

831

Volta, ii. 53.
Volumen, i. 208.
Vulgarisantes, ii. 627.

W
Wadding, i. 373 n.
Wadham College, Oxford, i. 126; ii. 377.
Wagner, George, i. 228 n.
Walanfrid Strabo, i. 51 n.
Walcott, ii. 499.
Wall Lectures, ii. 517.
Wallis, ii. 286, 288.
Wallaces, Nation of, at Louvain, ii. 260.
Walshingham, ii. 428 n.
Walter of S. Victor, i. 53 n., 56, 278.
— of Hemingford, ii. 395 n.
— of Merton, Bp. of Rochester, ii. 346, 476, 481-90.
— of Stapeldon, Bp. of Exeter, ii. 490, 491.
Warden of a College, ii. 482 sq., &c.
Wardius de Clusio, i. 212 n.
Ware, ii. 720.
Warnerius. See Imerius.
Washing, ii. 667.
Waynflete, William of. See William of Wykeham.
Wearmouth, Rector of. See William of Durham.
Wegele, ii. 253.
Wissendorf, ii. 243.
Wellington, Duke of, ii. 440.
Wells, Bp. of, see Burnel; Dean of, see Forest.
Welsh scholars at Oxford, ii. 368.
Wenceslaus I, of Bohemia, ii. 213.
— II, of Bohemia, ii. 215.
— College of, at Prague, ii. 219.
Werk, ii. 268.
Werauff, i. 291.
Werner, i. 26.
Werneriunius. See Imerius.
Westbury, Lord, i. 116 n.
Westminster, Monastery of S. Peter's at, ii. 478; School, ii. 603.
Westphalen, ii. 256, 613.
Whiteley, William, ii. 398 n., 443.
Whittington, ii. 414 n., 443.
William II, King of England, i. 81.
— Anglicus or Grisantius, i. 250.
— of Auvergne, i. 358, 359.
— of Auxerre, i. 338 n.
— of Brabant, i. 361.
— of Brescia, Archdeacon of Bologna, i. 200.
— the Breton (Armoricus), i. 293 n., 301 n., 354 n.; ii. 737.
— of Champignens, i. 485, 515, 528; ii. 532.
William de Chanac, Bp. of Paris, i. 516.
— de Coemhina, Chanter of Tréguier, i. 515.
— of Conches, i. 64, 65, 70.
— of Drogheda, ii. 375 n., 470 n.
— of Durham, ii. 409, 471 n., 517.
— of Estouteville. See Estouteville.
— de Ferrario, ii. 746.
— de Hostiallo, ii. 746.
— of Kilkenoy, ii. 558.
— of Lanum, ii. 470 n.
— of Malmesbury, ii. 273 n.
— de la Mare, ii. 530.
— de Monte, i. 280 n.
— de Nogaret, ii. 165.
— of Ockham, i. 535, 539 n., 540; ii. 529, 535-38.
— Pelissau, i. 160 n.
— de Ponte Arce, ii. 750.
— of S. Amour, i. 314 n., 345, 372 n., 382, 383 sq., 385, 387; ii. 384 n., 386 n.
— de Saliceto, i. 245 n.
— of Ware, ii. 530 n.
— of Waynflete, Bp. of Winchester, ii. 512-18.
— of Wykeham, Bp. of Winchester, ii. 429, 488 n., 499-508, 511, 513, 515, 517, 518, 573 sq., 672.
Williams, Abdy, ii. 442 n., 458 n.
— William Klapp, ii. 735.
Willis, Robert, ii. 544.
Wills, prolate of scholars', i. 399; ii. 422, 574, 725.
Wilson, Mr. H. A., ii. 512 n.
Winchelsey, ii. 437 n.
Winchester, College or School, i. 495 n.; ii. 500, 501, 571, 573; diocese of, ii. 482, 511; Bishop of, see Henry of Blois, William of Wykeham, William of Waynflete, Foye.
Windisch, ii. 289.
Windows, ii. 666 sq.
Windsor Castle, ii. 513, 573.
Winkelmann, ii. 247.
Wislocki, ii. 283.
Wodeford, ii. 498 n.
Wodghall, Henry, ii. 498.
Wolfgang, Count, ii. 656 n.
Wolsey, Cardinal, ii. 514 n., 515, 623, 759.
Women, Medical, at Salerno, i. 86; in France, i. 418 n.
— students and graduates at Salamanca, ii. 79; at Bologna and Padua, ii. 745.
Wood, Antony, i. 295 n., 352 n., 353, 475 n.; ii. 319, 349 n., 753, 760.
Woodland, Robert, ii. 577.
Woodstock, ii. 365, 405, 675.
Woodville, Elizabeth, ii. 575.
INDEX.

Worms, Concordat of, i. 132; Diet of, i. 133; Bishop of, ii. 248; Schools of, ii. 658 n.
Wratkislaw, Duke of Pomerania-Stettin, ii. 266.
Wratklaw, ii. 215 n.
Wright, Thomas, ii 320, 322 n., 572.
Wrobol, i. 442 n.
Wund, ii. 247.
Würndtwin, ii. 272.
Würzburg, ii. 253-54; Bp. of, ii. 253.
Wyclif, John, not the Reformer, ii. 518 n.
Wycliffism, ii. 427-30, 509. See Lollardy.
Wykeham, William of. See William.

Wyliott, John, ii. 488.
Wytenbach, ii. 264 n.

X
Ximenes, Cardinal, and Abp. of Toledo.
i. 83 n., 99.
Y
York, Schools of, i. 101, 281 n.; Chancellor of, i. 281 n.
Yorkshire, ii. 342.
Yriarte, Aynthia de, ii. 92.

Z
Zarate, ii. 65, 96.
Zarrcke, i. 461; ii. 254, ch. ix., Assisi.
Zdekauer, ii. 31.
Zeissberg, ii. 283.

THE END.
CLARENDON PRESS, OXFORD.
SELECT LIST OF STANDARD WORKS.

<table>
<thead>
<tr>
<th>DICTIONARIES:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>LAW</td>
<td>2</td>
</tr>
<tr>
<td>HISTORY, BIOGRAPHY, ETC.</td>
<td>4</td>
</tr>
<tr>
<td>PHILOSOPHY, LOGIC, ETC.</td>
<td>6</td>
</tr>
<tr>
<td>PHYSICAL SCIENCE, ETC.</td>
<td>7</td>
</tr>
</tbody>
</table>

1. DICTIONARIES.
A NEW ENGLISH DICTIONARY
ON HISTORICAL PRINCIPLES,
Founded mainly on the materials collected by the Philological Society.
Imperial 4to.
EDITED BY DR. MURRAY.

PRESENT STATE OF THE WORK.

<table>
<thead>
<tr>
<th>Vol.</th>
<th>A, B</th>
<th>By Dr. Murray</th>
<th>Half-morocco</th>
<th>£</th>
<th>s</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vol. II.</td>
<td>C</td>
<td>By Dr. Murray</td>
<td>Half-morocco</td>
<td>£</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Vol. III.</td>
<td>D, E</td>
<td>By Dr. Murray and Dr. Bradley</td>
<td>Half-morocco</td>
<td>£</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Vol. IV.</td>
<td>F, G</td>
<td>By Dr. Bradley</td>
<td>Half-morocco</td>
<td>£</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Vol. V.</td>
<td>H–K</td>
<td>By Dr. Murray</td>
<td>Half-morocco</td>
<td>£</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Vol. VI.</td>
<td>L–N</td>
<td>By Dr. Bradley</td>
<td>L–N</td>
<td>£</td>
<td>1</td>
<td>6</td>
</tr>
<tr>
<td>Vol. VII.</td>
<td>O, P</td>
<td>By Dr. Murray</td>
<td>O–Onomat}\n</td>
<td>Onomat-ical</td>
<td>£</td>
<td>1</td>
</tr>
<tr>
<td>Vol. VIII.</td>
<td>Q–S</td>
<td>By Mr. Craigie</td>
<td>£</td>
<td>1</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

The remainder of the work is in active preparation.

Vol. IX, X will contain S–Z with some supplemental matter.

Orders can be given through any bookseller for the delivery of the remainder of the work in complete Volumes or in Half-volumes or in Sections or in Parts.

HALF-VOLUMES. The price of half-volumes, bound, with straight-grained persian leather back, cloth sides, gilt top, is £1 7s. 6d. each, or £1 13s. 15d. for the ten now ready, namely, A, B, C–Comm., Comm.–Czech, D, E, F, G, H, I–K.

SECTIONS. A single Section of 64 pages at 22. 6d. or a double Section of 128 pages at 5s. is issued quarterly.

PARTS. A Part (which is generally the equivalent of five single Sections and is priced at 12s. 6d.) is issued whenever ready.

Nearly all the Parts and Sections in which Volumes I–V were first issued are still obtainable in the original covers.

FORTHCOMING ISSUE, JULY 1, 1904. A double Section of Reactively–Ree by Mr. Craigie.
2

ENGLISH AND ROMAN LAW.


Vol. I, containing Fasciculi I-V, sm. fol., 51. 5s. Vol. II, containing Fasciculi VI-X, 82. 8s.

A Compendious Syriac Dictionary, founded upon the above. Edited by Mrs. Margoliouth. Small 4to, complete, 63s. net. Part IV, 15s. net.

Parts I-III can no longer be supplied.


Swahili-English Dictionary. By A. C. Madan, M.A. Extra fcap. 8vo. 7s. 6d. net.

A Sanskrit-English Dictionary. Etymologically and Philologically arranged, with special reference to cognate Indo-European Languages. By Sir M. Monier-Williams, M.A., K.C.I.E.; with the collaboration of Prof. F. Leumann, Ph.D.; Prof. C. Cappeller, Ph.D.; and other scholars. New Edition, greatly Enlarged and Improved. Cloth, bevelled edges, 3l. 12s. 6d.; half-morocco, 4l. 4s.


The Student’s Dictionary of Anglo-Saxon. By H. Sweet, M.A., Ph.D., LL.D. Small 4to. 8s. 6d. net.

An Anglo-Saxon Dictionary, based on the MS. collections of the late Joseph Bosworth, D.D. Edited and enlarged by Prof. T. N. Toller, M.A. Parts I-III. A-SÁR. 4to, stiff covers, 12s. each. Part IV, § 1. SÁR-SWÍÐRIAN. Stiff covers, 8s. 6d. Part IV, § 2, SWIP-SWEL-YTMEST, 18s. 6d.

An Icelandic-English Dictionary, based on the MS. collections of the late Richard Cleasby. Enlarged and completed by G. Vigfusson. M.A. 4to. 3l. 7s.

2. LAW.


Anson. Law and Custom of the Constitution. 3 vols. 8vo.


Goudy. Von Jhering’s Law in Daily Life. Translated by H. Goudy, D.C.L. Crown 8vo. 3s. 6d. net.


Gruener. Lex Aquilia. By Erwin Grueber, Dr. Jurr., M.A. 8vo. 10s. 6d.


— A Treatise on the Foreign Powers and Jurisdiction of the British Crown. 8vo. 10s. 6d.


— Studies in International Law. 8vo. 10s. 6d.

— Gentilis, Alberici, De Jure Belli Libri Tres. Small 4to, half-morocco. 21s.


— The European Concert in the Easter Question: a collection of treaties and other public acts. 8vo. 12s. 6d.


Also sold in parts, in paper covers—
Part I. Introductory Titles. 3s. 6d.
Part II. Family Law. 1s.
Part III. Property Law. 2s. 6d.
Part IV. Law of Obligations (No. 1), 3s. 6d. (No. 2), 4s. 6d.


Ibert. Legislative Forms and Methods. 8vo, half-roan. 16s.


— Contract of Sale in the Civil Law. 8vo. 10s. 6d.


Poste. Galli Institutionum Juris Civilis Commentarii Quatuor; or, Elements of Roman Law by Gaius, with a Translation and Commentary by Edward Poste, M.A. Third Edition. 8vo. 18s.


Stokes. The Anglo-Indian Code. By Whitley Stokes, LL.D.
Vol. I. Substantive Law. 8vo. 5s.
Vol. II. Adjective Law. 8vo. 3s. 6d.
First and Second Supplements to the above, 1887–1891. 8vo. 6s. 6d. Separately, No. 1, 2s. 6d.; No. 2, 4s. 6d.
3. HISTORY, BIOGRAPHY, ETC.


Aubrey. *Brief Lives*, chiefly of Contemporaries, set down by John Aubrey, between the Years 1669 and 1696. Edited from the Author’s MSS. by Andrew Clark, M.A., LL.D. With Facsimiles. 2 vols. 8vo. 25s.

Barnard. *Companion to English History (Middle Ages).* With 97 Illustrations. By F. P. Barnard, M.A. Crown 8vo. 8s. 6d. net.

Boswell’s *Life of Samuel Johnson, LL.D.* Edited by G. Birkbeck Hill, D.C.L. In six volumes, medium 8vo. With Portraits and Facsimiles. Half-bound. 31. 3s.


Hill. *Sources for Greek History between the Persian and Peloponnesian Wars.* Collected and arranged by G. F. Hill, M.A. 8vo. 10s. 6d.


—Johnsonian Miscellanies. 2 vols. Medium 8vo, half-roan. 28s.
By G. W. Kitchin, D.D. In three Volumes. Crown 8vo, each 10s. 6d.


The Origin and Growth of the English Colonies and of their System of Government (an Introduction to Mr. C. P. Lucas' Historical Geography of the Colonies). By H. E. Egerton. 2s. 6d. Also in binding uniform with the Series. 3s. 6d.

Vol. II. The West Indian Colonies. 7s. 6d.
Vol. III. West Africa. Second Edition, revised to the end of 1899, by H. E. Egerton. 7s. 6d.
Vol. IV. South and East Africa. Historical and Geographical. 9s. 6d.
Also Vol. IV in two Parts—
Part I. Historical, 6s. 6d.
Part II. Geographical, 3s. 6d.


Machiavelli. II Principe.
Edited by L. Arthur Burd, M.A. With an Introduction by Lord Acton. 8vo. 14s.


Morris. The Welsh Wars of Edward I. With a Map. By J. E. Morris, M.A. 8vo. 9s. 6d. net.


Vol. I, containing The Discovery and Aboriginal America, 18s.
Vol. II, Aboriginal America (concluded), 14s.

Plummer. The Life and Times of Alfred the Great. By Charles Plummer, M.A. Crown 8vo. 5s. net.

Poole. Historical Atlas of Modern Europe from the decline of the Roman Empire. Edited by R. L. Poole, M.A. 3l. 15s. 6d. net. Each Map can now be bought separately for 1s. 6d. net.

Prothero. Select Statutes and other Constitutional Documents, Illustrative of the Reign of Elizabeth and James I. Edited by G. W. Prothero, M.A. Cr. 8vo. Edition 2. 10s. 6d.


Ramsay (W. M.). The Cities and Bishoprics of Phrygia.
Vol. I. Part I. The Lyceus Valley and South-Western Phrygia. Royal 8vo. 18s. net.
Vol. I. Part II. West and West-Central Phrygia. 31s. net.

London: HENRY FROWDE, AMES COTTER, E.C.


**The Life and Letters,** with an account of his Philosophy. By A. Campbell Fraser. 8vo. 16s.

Bosanquet. *Logic; or, the Morphology of Knowledge.* By E. Bosanquet, M.A. 8vo. 21s.


Campanac. *The Cambridge Platonists; being Selections from the writings of Benjamin Whichcote, John Smith, and Nathanael Culverwell, with Introduction by E. T. Campanac, M.A.* Cr. 8vo. 6s. 6d. net.

Richard, Son of Nigel, Treasurer of England and Bishop of London. Edited by Arthur Hughes, C. G. Crump, and C. Johnson. 8vo. 12s. 6d. net.

Smith. *Lectures on Justice, Police, Revenue and Arms.* Edited, with Introduction and Notes, by Edwin Cannan. 8vo. 10s. 6d. net.

--- *Wealth of Nations.* With Notes, by J. E. Thorold Rogers, M.A. 2 vols. 8vo. 21s.


Also in 3 vols. crown 8vo. 13s. each.---

--- *Seventeen Lectures on the Study of Mediæval and Modern History and kindred subjects.* Crown 8vo. Third Edition. 8s. 6d.

--- *Registerium Sacrum Anglicanum.* Sm. 4to. Ed. 2. 10s. 6d.

Fowler. Logic; Deductive and Inductive, combined in a single volume. Extra fcap. 8vo. 7s. 6d.


Hegel’s Philosophy of Mind. Translated from the Encyclopaedia of the Philosophical Sciences. With Five Introductory Essays. By William Wallace, M.A., LL.D. Crown 8vo. 10s. 6d.


Leibniz. The Monadology and other Philosophical Writings. Translated, with Introduction and Notes, by Robert Latta, M.A., D.Phil. Crown 8vo. 8s. 6d.


Spinoza. A Study in the Ethics of Spinoza. By Harold H. Joachim. 8vo. 10s. 6d. net.

Wallace. Lectures and Essays on Natural Theology and Ethics. By William Wallace, M.A., LL.D. Edited, with a Biographical Introduction, by Edward Caird, M.A. 8vo, with a Portrait. 12s. 6d.

5. PHYSICAL SCIENCE, ETC.


— Comparative Morphology and Biology of Fungi, Mycetozoans

London: HENRY FROWDE, ACMES GARDER, M.O.
and Bacteria. By Dr. A. de Bary. Translated by H. E. F. Garnsey, M.A. Revised by Isaac Bayley Balfour, M.A., M.D., F.R.S. Royal 8vo, half-morocco, 24s. net; cloth, 21s. net.

Lectures on Bacteria.
By Dr. A. de Bary. Second Improved Edition. Translated and revised by the same. Crown 8vo. 5s. net.


Fischer. The Structure and Functions of Bacteria. By Alfred Fischer. Translated into English by A. C. Jones. Royal 8vo. With Twenty-nine Woodcuts. 7s. 6d. net.

Goebel. Outlines of Classification and Special Morphology of Plants. By Dr. K. Goebel. Translated by H. E. F. Garnsey, M.A. Revised by I. B. Balfour, M.A., M.D., F.R.S. Royal 8vo, half-morocco, 22s. 6d. net; cloth, 20s. net.


Sachs. A History of Botany. Translated by H. E. F. Garnsey, M.A. Revised by I. B. Balfour, M.A., M.D., F.R.S. Cr. 8vo. 10s. 6d.


Solms-Laubach. Fossil Botany. Being an Introduction to Palaeobotany from the Standpoint of the Botanist. By H. Graf zu Solms-Laubach. Translated and revised by the same. Royal 8vo, half-morocco, 17s. 6d. net; cloth, 15s. net.

OXFORD HISTORY OF MUSIC. 8vo. Edited by W. H. Hadow, M.A.
The Seventeenth Century. By Sir C. H. H. Parry, M.A., D.Mus. 15s. 6d
The Age of Bach and Handel. By J. A. Fuller Maitland, M.A. 15s. 6d.

IN PREPARATION.
The Polyphonic Period. Part II. By H. E. Wooldridge, M.A.
The Viennese School. By W. H. Hadow, M.A.
The Romantic Period. By E. Dannreuther, M.A.

OXFORD
AT THE CLARENDON PRESS
LONDON, EDINBURGH, AND NEW YORK
HENRY FROWDE
The borrower must return this item on or before the last date stamped below. If another user places a recall for this item, the borrower will be notified of the need for an earlier return.

*Non-receipt of overdue notices does not exempt the borrower from overdue fines.*

Harvard College Widener Library
Cambridge, MA 02138 617-495-2413

Please handle with care.
Thank you for helping to preserve library collections at Harvard.