

The admission, with privileges, of the founder's kin at Winchester has no parallel in Henry VI's Statutes. The fact that ^t~~E~~_{ton} was the richer foundation from time to time becomes apparent by a comparison of the two codes. The Eton provosts, fellows, schoolmaster and usher are paid more than their Winchester counterparts, and the cloth of which they receive an annual livery is of better quality.^j The Eton foundation, moreover, included a house for thirteen poor and weak old men, and quarters also for five external poor and pilgrims. The Eton Statutes relating to these poor men, nos. 51 to 60, have no counterpart at Winchester.

But where similar matters are being treated, the Eton Statutes again and again copy word for word their Winchester model. The oaths of scholars, the methods of election and oaths of provost and fellows are virtually identical. Clauses are sometimes a little fuller in one, sometimes in the other. We note that the public disputation in grammar to be made by two scholars according to Eton Statute no. 14 is not included in the corresponding Winchester Statute no. 12. We find that the Winchester Statute no. 43, forbidding rough sports in chapel or hall, is fuller than the Eton Statute no. 46, relating to the same subject, and it may well be the case, as Kirby suggests,^k that this Winchester Statute, which covers part of the same ground as one of the other Statutes, may have been added at a final revision, in order to prevent the recurrence of

j. Eton Stat. 28 and 29, Winchester 26 and 27.

k. Annals of Winchester College, p. 90

some scene of disorder, possibly at a festival of the boy-bishop. Fifty years later the founder of a new institution /may well have felt less apprehensive in this matter and so been less emphatic in his ^{with}prohibition.

The Eton Statutes, inspired in every sentence by religious and moral purpose, consist in large measure of minute instructions for the religious and administrative rituals to be observed in the new foundation. And these instructions show, from time to time in a most concrete form, the moral dangers by which the inmates of such an establishment might be beset. One of the chief of these was malicious gossip. In the oaths alike of provosts, ^lf_Allows and scholars the same string of words occurs by which they forswear evil-speaking and back-biting that provoke envy and wrath, also odious comparisons between family and family, rich and poor, or one part of the country and another, or whatever else may stir up discord: Non ero detractor, susurro, vel faciens obloquia aut provocans invidiam, odium, iram, discordias, contumelias, rixas vel jurgia, aut speciales vel precellentes prerogativas nobilitatis, generis aut divitiarum allegans, nec inter socios vel scholares..... patrie ad patriam, generis ad genus, nobilitatis ad nobilitatem vel ad ignobilitatem, seu alias qualitercumque comparationes, que odiose sunt in verbo vel in factis, causa commovendi maliciose socios vel scholares, tacite vel expresse, publice vel occulte faciam quovis modo.

No female servant was to be employed within the College except a laundress and then only if a man could not be found to do the washing, and her age and condition was to be such

as to cause no anxiety: quam quidem lotricem talis etatis talisque conditionis esse volumus, quod in vel ad eam quevis sinistra suspicio merito cadere non debeat vel haberi.

Fellows and others occupying upper floors in the quadrangle were not, by making water or washing themselves or pouring wine or beer or any other liquid, to inconvenience the scholars or others in the lower rooms: Inhibentes preterea districtius et expresse, ne quis in superioribus cameris antedictis mingendo, caput, manus vel ped^es aut quicquam alium lavando, vel alias qualitercumque aliquam vini aut cervisie aut alterius liquoris ^ucujuscumque effusionem faciant quovis modo, per quem scholares, aut alii in inferioribus cameris existentes, in personis, bonis aut rebus graventur, vel aliquo modo molestentur.

The chase was forbidden to scholars, fellows, chaplains and College servants, who were not to keep hounds or hunting nets, or ferrets, sparrow hawks or falcons, or a monkey, bear, fox, stag, doe, deer, badger or any other rare and rapacious beasts: Nullus scholaris, aut socius presbyter, capellanus, vel minister alius. teneat vel habeat canes venaticos, retia ad venandum, ferretos, nisos vel accipitres, aut venationem exercent - neque inter se, neque in Collegio Regali predicto, simiam, ursum, vulpem, cervum, cervam, damam aut taxum seu aliquas alias rapaces bestias hujusmodi insolitas sive raro visas. habeant aut teneant ullo modo.

But not all the Statutes were prohibitive of human pleasures. No. 17, which forbids lingering in hall after meals on the ground that those who have eaten and drunk - post refectio-

corporum per ciborum et potuum sumptionem - are most liable to evil speaking and scurrility, ends with a benignant concession. On festivals in winter time when there is a fire in the hall, the scholars and fellows may after their dinner or supper spend a moderate time in singing, and in enjoying other honest and serious subjects of recreation such as poetry, chronicles and the wonders of the world and other matters that are suitable to their clerical state: quando ob reverentiam dei ac sue matris, vel alterius sancti c^ujuscumque, tempore hyemali ignis in aula sociis et scholaribus ministratur, tunc scholaribus et sociis post tempus prandii aut cene liceat gratia recreationis in aula in cantilenis et aliis solatiis honestis moram facere condecentem, et poemata, regnorum chronicas, et mundi hujus mirabilia, ac cetera que statum clericalem condecorant serius pertractare,

The foregoing extracts have been made from some of the more human articles in the Statutes, partly to give to any reader of the translation who does not happen to have the original text before him the feel of the Latin. We almost seem to hear the voices of the Eton compilers as they choose their words to form the administrative code of the college that was rising in the fields below Windsor Castle - who knows, perhaps the voice of the Royal Founder himself? They will serve also to check anyone who might entertain such a fancy, for, whatever Goodall may have said, all these extracts were taken word for word by the Eton scribe from the Statutes of Winchester, except with regard to the animals, where the Winchester list ends with the hawks. Those from the monkey onwards were peculiar to Eton.¹

1. The five extracts are from Eton Statutes 7, 38, 36, 19 and 17; Winchester Statutes 6, 45, 34, 17 and 15.

Henry VI's educational scheme was firmly based on that of Wykeham. For a few days at the end of July 1441 the King had in fact visited Winchester in order to see how the school there was administered.^m He was surrounded by the Winchester connection. Of his closest advisers, Chicheley, archbishop of Canterbury, and Bekynton, his secretary, had both been fellows of New College. Both Bekynton and Waynflete were Wykehamists and the latter, before Henry summoned him to become schoolmaster and then provost at Eton, had been schoolmaster at Winchester, and only left Eton in 1447 to return to Winchester as bishop. There can be no wonder that the wording of so large a part of the Eton Statutes is that of William of Wykeham.

For an odd Wykehamical echo in the Eton Statutes, we turn again to Huggett whose volume of transcript in the Bodleian opens with a paragraph that is not in his R. M. volume, headed "Statutes of Eton similar to those of Winton". In this he draws upon Lowth's Life of William of Wykeham, (1758) p. 16, to show the specific origin of some words that might seem random generalities, which occur two or three times in the Eton Statutes, borrowed from those of Winchester. In the oaths of members of the College there is a promise to avoid making odious comparisons between the conditions of other members in the matter of family, place of origin etc. and between "southerners" and "northerners", australes and aquilonares seu boreales. " 'Twas just at the time when Wykeham must have been at the University of Oxford, if he had ^{ever} been there at all", says Lowth, "that certain logical contentions turning

m. Maxwell Lyte, p. 14

merely upon words so far prevailed as to divide the Scholars into perpetual factions. The Nominals listed themselves under the standard of Occham the Invincible Doctor, in opposition to the Reals, the Followers of Duns Scotus, entitled the Subtile Doctor. This occasioned the revival of the old quarrels between the Northern and Southern men: the former, for want of a better reason as it seems, joining themselves to the part of their Countryman Scotus; and consequently the latter, out of more spirit of opposition, siding with Occham. The consequence of these disputes was.....the introducing a scandalous barbarity and brutality of manners.....they had frequent battles which generally ended in bloodshed."

From time to time I have referred back to the Winchester Statutes, or rather to the printed versions of them, in relation to errors, or possible errors, in the text of the Liber Originalis.ⁿ

I am most grateful to Patrick Strong for his continual help throughout this work and to R. E. Latham, editor of the Medieval Latin Dictionary, for his help in solving many problems of translation.

Noel Ballistrin

n. For example, the erroneous spectantia in Eton Statute 5 (Heywood and Wright p. 488) appears correctly as spectantium in Winchester Statute 4; while the rather awkward word applaudaptem or applaudentem of Eton Statute 61 (see note 114) is found also in Winchester Statute 46.

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1. THE INTENTION AND PLAN OF THE FOUNDER¹

In the name of the holy and undivided Trinity of the Father, Son and Holy Spirit, and of the most blessed and glorious Virgin Mary, and of all the saints of God, we Henry, by the grace of God King of England and France, and lord of Ireland, the sixth after the Conquest, trusting in the goodness of the highest maker of things, who knows, directs and disposes the wishes of all who believe in him, desiring to transfer our temporal royal treasures into eternal treasures, have by apostolic and our own royal authority ordained, instituted, founded and established from the goods which in this life God by the grace of his plenitude has abundantly bestowed upon us, two perpetual colleges, one, to wit, a perpetual college of poor and indigent scholar clerks, to study and make progress in diverse sciences and faculties in the schools of our university of Cambridge in the diocese of Ely, perpetually called the College of the Blessed Mary and St. Nicholas of Cambridge, but commonly known as "The Kynges College of our Lady and Seynt Nicholas in Cambridge"; and a certain other perpetual College of other poor and indigent scholar clerks to learn grammar, and of other persons described below, in the town of Eton near Windsor, the place of our nativity, similarly called the Royal College of the Blessed Mary of Eton near Windsor,

1. In the Liber Originalis (henceforth L. O) the first Statute has no title, nor has it one in the Vice-Provost's copy (henceforth V. P.). But in the table of contents of V. P. it is described as Mens et institutio fundatoris, and this title, which also appears in Heywood & Wright (henceforth H. & W.) is here translated.

but commonly known as "The Kynges College of our Ladye of Eton besyde Windesore", to the praise, glory and honour of the name of the crucified, and of the most glorious Virgin Mary, his mother, and the maintenance and exaltation of the Christian faith, the profit of holy church, and the increase of divine worship and of the liberal arts, sciences and faculties, as is more fully contained in apostolic bulls and our charters and letters patent made concerning the ordinances, institutions and foundations of the said colleges.

Wherefore we, wishing to establish and ordain whatever things now come to our mind, which in our said Royal College of the Blessed Mary of Eton we think necessary and useful to the scholars, clerks, perpetual priests and other persons, and to the possessions and goods of the same Royal College, as well as to the healthy regulation of the same, and which are recognised to concern the learning, the augmentation and the profit of the same, after invoking the name of Christ to the future and perpetual memory thereof, we proceed thereto as follows

2. OF THE TOTAL NUMBER OF SCHOLARS, CLERKS, PRIESTS AND OTHER PERSONS IN THE SAME.

First then we lay down, ordain and will our said Royal College of the Blessed Mary of Eton to be in and of the number of one provost who shall be pre-eminent and shall preside over all persons of the same college and over the possessions property and goods of the same according to our ordinances and statutes written here below, and of seventy poor and indigent scholars who are to devote themselves to the science of grammar, of ten priest fellows, ten chaplains and as many clerks, stipendiary and removable, and sixteen boy choristers. to serve in the divine offices of the collegiate

church there; also one school master in grammar, and one other instructor under him, commonly to be called the scholars' usher, who are to attend and devote themselves assiduously and diligently to the information, instruction and erudition of the said scholars, and who are to be stipendiary and removable too; and thirteen poor weak men who are always and for all future times to abide and remain there.

3. WHO AND OF WHAT SORT ARE TO BE ELECTED
SCHOLARS TO OUR ROYAL COLLEGE AFORESAID

Item, we lay down, ordain and will, that all and singular to be elected scholars to the same our Royal College are to be poor, indigent, most notable for their good behaviour and circumstances, adapted to study, of honest conversation and competently instructed in reading, plain song and Donatus. And no one is to be elected to our said college who has not completed the eighth year of his age or who has passed the twelfth year of his age, unless being within the seventeenth year of his age he shall chance to have been so well taught in grammar that before the completion of the eighteenth year of his age, in the judgement of the electors, he shall sufficiently qualify in grammar. We further lay down that poor and indigent scholars are to be elected, nominated or admitted to our said Royal College of the Blessed Mary of Eton from places and parishes in which the spiritual and temporal possessions of our said Royal College of the Blessed Mary of Eton, and of our Royal College of the Blessed Mary and St. Nicholas of Cambridge are, provided in the first place that they were born within our Kingdom of England, and then those coming from the counties of Buckingham and

Cambridge, and afterwards those from any counties whatsoever of our Kindgom of England, if according to the conditions and qualities above and below recited they are found competent and suitable, these and no others. But we will that in whatsoever such elections and nominations in future times for ever those who nominate and elect, shall in the same have due respect to the choristers both of our said college of Eton as of our Royal College of the Blessed Mary and St. Nicholas in Cambridge, who, by reason of their labours and services given to the said Royal Colleges, deserve, according to their merits, to be preferred to others to whom in the aforesaid conditions and qualities they are equal. We further will that all and singular scholars and choristers of our said Royal College having the first tonsure shall receive a becoming tonsure. And if any of them at the time of their admission have not had such a first tonsure, we will that they be obliged and compelled to receive it within the next year then following on pain of the final expulsion of the same from our aforesaid college.

It is not our will, however, that anyone who is a villein or who is born illegitimate or who labours from an incurable disease or who suffers from some large and visible mutilation of the limbs or bodily defect or other defect resulting from his own doing or fault on account of which he is rendered altogether incapable of assuming holy orders, shall by any means be admitted into our said Royal College. But if perchance anyone by falsehood or error be elected or nominated who according to

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the aforesaid provisions ought not by any means to have been elected or nominated, when the truth of the matter has been discovered, if he has not yet been received, we will that he should absolutely not be received or taken in. But if he has been received into the same college, then also we will that he be immediately expelled, that guile or fraud be not a protection to him. We further ordain that none ³ having lands or tenements or other spiritual or temporal, possessions whose issues exceed the yearly value of five marks sterling, shall be elected or by any means nominated to our said college. Item we lay down, ordain and will that all and singular the aforesaid scholars, when they have completed the eighteenth year of their age, whether they are proficient in grammar or not, shall for ever be expelled from our said Royal College, unless perchance some one of them shall have been nominated to our Royal College of the Blessed Mary and St. Nicholas of Cambridge for completing the number there, and shall be written in indentures of which mention is made in the next statute following. Then any such scholar, so nominated and written, we permit to stay in our aforesaid Royal College until the nineteenth year of his age is completed, and no longer.

4. OF THE ELECTION OF SCHOLARS TO OUR ROYAL COLLEGE OF THE BLESSED MARY OF ETON AND OUR ROYAL COLLEGE OF THE BLESSED MARY AND ST. NICHOLAS OF CAMBRIDGE TO BE MADE EACH YEAR IN OUR SAID COLLEGE.

Further, since among other statutes and ordinances of our Royal College of the Blessed Mary and St. Nicholas of Cambridge under the rubric concerning the form of the election of scholars

2. by any means. Omnino in L. O. and V. P., not in H. & W.
3. Nullus in L. O. and V. P. Nullus scholaris in H. & W.

of the Royal College of Eton to our college of Cambridge, we laid down and also ordained as follows: "Further, we lay down, ordain and will that each year, in all future times for ever, between the feast of the Translation of St. Thomas the Martyr⁴ and the feast of the Assumption of the Blessed Mary, the provost of our said college of Cambridge, and two fellows of the same college, at least masters of arts, elected for the purpose by the provost, vice-provost, three deans, three bursars and six other fellows being the senior then of those present in the said college,⁵ or, if the said provost be legitimately or reasonably prevented, the vice-provost of the same Royal College, and the two aforesaid elected fellows, at the expense of our college of Cambridge, are to go to our college of Eton, at the expense of the same while there⁶ (provided they do not exceed the number of nine or ten horses) for the time of making the election or nomination therein, of which within the space of five days in all, with the termination of the legitimate business, we will that the end be honestly procured. We further will that the said provost of Cambridge, or in his absence the vice-provost of the same, by their sealed letters, and their trusty messenger bearing the same letters, shall forewarn in our said Royal College of Eton and not elsewhere, the provost, if he be present, and the school master of our college aforesaid, or, in the absence of the said provost, the vice-provost and aforesaid school master, of two days within the said two feasts in different weeks, on one of which to be chosen by the said provost

4. festum Translacionis sancti Thome Martiris. A line has been put through these words and septimum diem julii is written in the margin, probably at the time of the Reformation.
5. L.O. reads.... tres bursarios et nostro alios socios in dicto collegio septem tunc de presentibus seniores..... L.O. here seems to be in error, and is in conflict with Statute 3 of King's College. H. & W. has been here translated.
6. ibidem sumptibus ejusdem is not in King's Statute 3, but appears in L.O.

and vice-provost of Eton, as is set down below, he wishes to proceed to the election, of which there is mention below, for seven weeks before he shall come to Eton for the same. When they have received these letters of forewarning, the same provost or vice-provost and school master shall notify the aforesaid provost or vice-provost of our college of Cambridge by letter by the same messenger without delay of the day of the receipt of their said letters, and which of the said two days they have chosen. And in order that the scholars of our said college of Eton and those also who had been previously scholars in the same, and other poor scholars from whatever counties of our Kingdom of England wishing to flock to the same, may be able to be present at the time of the aforesaid election to submit themselves to examination as aforesaid, we will that they shall be forewarned of the time of such election by the provost or vice-provost and school master aforesaid by notices to be affixed on the doors of the greater western entrance of the collegiate church there, also on the doors of the greater gate of our college of Eton, within the two days next following the receipt of the aforesaid letters. Then when the time of election and nomination is come, we will that first the said provost or vice-provost and fellows of the Royal College of Cambridge, together with the provost, vice-provost and school master of our aforesaid college of Eton, all whom we specially appoint and create by the force of this present statute examiners and electors of those to be elected and nominated to our said colleges, assembling in the great chamber or parlour of the aforesaid provost, first and before they proceed to the said examination and election or nomination, shall have read before them the indentures made in and concerning the next preceding election and nomination, so that it may

thus be apparent to them whether and in what manner those entered in the same, in that order in which they have been written, have duly taken up their nominations. Whereupon we order these indentures to be then at once cancelled in their presence, the nomination and election in the same described being thereafter of no value to the other named persons who did not then take up their nominations. We will and also lay down that the provost or vice-provost of the Royal College of Cambridge and his fellows to be chosen for the aforesaid election and nomination, as aforesaid, together with the provost, vice-provost and school master of our Royal College of Eton aforesaid, immediately before proceeding further to the said examinations and elections, shall faithfully do and diligently perform all and singular the things to be done recited above in the statute Who and of What Sort ⁷ and in the statute concerning the election of scholars to our college of Eton, all manner of hate and favour, envy and fear, prayer and price having been laid aside, in so far as such pertain to them. And that notwithstanding the instances, prayers and requests of kings, queens, princes, prelates, magnates, nobles and others whatsoever, they shall only nominate and elect those whom they shall think fit and suitable according to their qualities and conditions in the present statute and the statutes of the Royal College of Eton, (and) touching and inspecting, they and each one of them the sacred gospels of god, they are corporally to give their oath. This done, we will that if the total number of

7. Qui et quales sint eligendi in Collegium Regale Cantebrigie.
See Statute 2 of Statutes of King's College, H. & W. p.21.

scholars and fellows in our said college of Cambridge limited by our statutes shall have been reduced by one, two or any number more, then the aforesaid electors shall diligently and faithfully examine the poor scholars of our said college of Eton, and if need be others who had formerly been in the same, upon the sufficiency of their learning in grammar and on their conditions, conduct and qualities recited above. When this examination has thus been made and the ability and sufficiency of the said scholars in all and singular the premises have been approved by the common consent of the said examiners, the said examiners are to select from the said fit and suitable scholars so many to our said college of Cambridge as may fill the number deficient in the same according to the order of persons and places and the manner and form more fully recited in the last preceding statute, and the same being observed in all respects. And in order that the total number of our Royal College of Cambridge be more quickly and easily filled and always be preserved whole, we lay down, ordain and will that if in the aforesaid examination many, from among the scholars of our said college of Eton and from others who had formerly been in the same, beyond the number required for our said college of Cambridge, are found fit and suitable to be elected by their deserts to our said college of Cambridge, if there were need, they are to be nominated to our said college of Cambridge, and of the names and surnames of all the same scholars mutual indentures are to be made yearly at the time aforesaid between the provost of our college of Cambridge and the elected and sworn fellows aforesaid, or in the absence of the provost between the vice-provost of the same college and the fellows aforesaid, of one part, and the provost of our

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aforesaid college of Eton and the vice-provost and school master aforesaid, of the other part, in such a way to wit that their names and surnames are to be written in the said indentures in that order in which they were nominated thereto, according to the order, conditions and qualities recited above in the last statute. But if perchance before the time of the making of the next election there it shall happen that the number of our said Royal College of Cambridge is diminished, at the making of the intimation thereof of the provost or vice-provost to the provost or vice-provost and school master of our college of Eton, which we will and order to be made within ten days at most from the time of the said diminution, the number thus deficient may and must at once without other election be filled from the same persons. And these examinations and elections and the making of indentures at the said times of the examinations we intend to take place every year, although the total number of the scholars and fellows of our college of Cambridge shall not be diminished at the time of the aforesaid examination. And when the said letters of intimation have been received by the provost or vice-provost of our college of Eton and the said school master the said provost and vice-provost and master are to forewarn the scholars nominated in the said indentures, in that order in which they have been written in the aforesaid indentures, within three days from the time of the receipt of such letters, without guile and fraud and evil intent, personally and verbally, if they are at hand, otherwise by notices to be affixed on the doors of the Western entrance of the collegiate church of the same, that within twenty days the next following they are to go in person without further ^{delay} ~~daily~~ whatsoever to the same our

college of Cambridge, to be admitted there, upon pain of losing their right, if by reason of election or nomination they are entitled to claim any such right sought for themselves. And the said provost or vice-provost and school master of our college of Eton are to certify distinctly to the provost or vice-provost of our college of Cambridge by their letters specifying the names and surnames of the scholars whom they are sending and of those on whose behalf they had been written to, in cases where they send others, and the cause of their being sent, and openly transmitting the said letters by the same scholars. These scholars so named and other scholars of the time of the election and nomination aforesaid elected and nominated, when they arrive at our college of Cambridge, the provost and fellows of the same college, or in the absence of the said provost the vice-provost and the same fellows, within three days at most next following their arrival, in virtue of the oath made by them to the said college of Cambridge, are to admit them to be scholars of the said college of Cambridge for the years of probation, and they are also bound thereto, provided always that of those thus nominated who come to the college of Cambridge, those are first to be admitted who in such indentures and letters of reply have been first written and also nominated. Furthermore at the time of the election and nomination the choristers of the collegiate church of our Royal College of Eton and the choristers of our college of Cambridge, along with other boys coming together from whatsoever counties of England to the said election and nomination, being adequately instructed in reading, plain song and Donatus, and being shown to be within the age limited in our statutes, are to be examined by the aforesaid examiners and electors, and those who are found competent and suitable are to

be elected, and from them the number of scholars then deficient there is to be completed. And of the other boys, as aforesaid, instructed and examined and nominated and elected to supply the number of scholars in the same Royal College of Eton perhaps to be reduced until the time of the next election, the names and surnames are to be written in the aforesaid indentures. And we will that these in the order in which they are written and nominated in the indentures be received into our said college of Eton by the provost or in his absence the vice-provost and school master aforesaid in the place of the scholars who are to be sent to our college of Cambridge as aforesaid, or who have withdrawn⁸ or for other reasons have left the same. And if perchance the number of seventy fellows and scholars prescribed in the college of Cambridge shall have been reduced by six or more before the first day of May then next following, and cannot be made good by those pre-named in the said indentures, we lay down, ordain and will that then the provost of our College of Cambridge and two fellows of the same, being elected and sworn in this case in the form before laid down, or if the provost himself is absent or otherwise prevented, the vice-provost and fellows aforesaid, are to go to our college of Eton for making the election of scholars in the form aforesaid to complete the number of scholars of our college of Cambridge in the manner and form above prescribed, a forewarning of fifteen days having first been made by the said provost of Cambridge or in his absence

8. decedentium, gone away, withdrawn or died.

by the vice-provost of the same by his letters to the provost or vice-provost of our college of Eton of the day of the coming of the same to the same college and the time of the said election, so that before the end of the month of May aforesaid the total number of the scholars of our college of Cambridge may be effectually and truly filled. Further we lay down, ordain and will, that as often as any election of poor scholar clerks to our college of Cambridge is about to be made, to be elected from whatsoever persons, the said election is altogether to be made in our college of Eton in the manner and form above recited and not in any circumstances elsewhere, and that no one of whatever state, condition or kind he may be is to be otherwise or in any other manner elected, received and taken in or is to abide there as a scholar or fellow, nor is to receive anything from the said college of Cambridge in any sort, by an extraordinary title or colour whatever.

We order and lay down that all and singular the premises contained in the said ordinance and statute are to be inviolably observed by the same provost and fellows of our aforesaid college of Eton so far as they concern them. And in addition thereto we lay down and order, that the aforesaid scholars to be admitted to our college of Eton in the place of the scholars to be sent to our college of Cambridge, or dying⁹ in our said college of Eton or otherwise departing from the same as is aforesaid, as quickly as can be done within eight consecutive days¹⁰ of the time of the sending or the decease or the departure

9. decedentium

10. decessus decease

of such scholars, are to be received and also admitted without any difficulty whatsoever, in that order however in which they have been written in the aforesaid indentures, if they are alive and present, but otherwise, if they are dead, other boys present who are next named in the same indentures; but the said provost or vice-provost and school master aforesaid are to forewarn the absent by notices affixed to the doors of the collegiate church there, that within twenty days then next following they are to go in person to our said college of Eton, in order that they may be admitted therein, without any further delay whatever upon pain of losing such right as in such nomination or election they are entitled to claim as sought for themselves.

And when those who have been thus nominated, together with others elected at the time of the nomination,¹¹ come to the said college as aforesaid, the provost or in his absence the vice-provost of the same, on the first day of their arrival being known to the said provost or vice-provost, or at the most within three days then next following, in virtue of his oath given to the said college, is to admit them as scholars of our said college of Eton. We further lay down that if the aforesaid examiners in making any election or nomination of scholars to our college of Cambridge or Eton are in discord among themselves on the testing of the ability and sufficiency of such scholars, and are unable in any way to reach agreement

11. tempore nominationis in L. O., tempore electionis et nominationis in V. P. and H. & W. Having given instances where V. P. is in agreement and in disagreement with both L. O. and H. & W., I will not burden these notes with continual references to the text of V. P.

herein within the space of one day, then that one and those ones, after being proved adequate in morals and in the other matters before specified, are to be admitted and elected according as, upon him or them, the greater part of the said examiners shall be in agreement.

And we further will that if any one of the aforesaid examiners during the time of the examination and election shall happen to die or to be so gravely ill or from urgent cause to be absent or prevented so as to be unable to proceed with the other examiners and electors, that they then being empowered¹² to proceed, are to do so according to the form comprehended in those present, irrespective of such death, absence or impediment.

5. THAT THE AFORESAID COLLEGES IN THEIR CAUSES, DISPUTES AND AFFAIRS ARE TO HELP ONE ANOTHER MUTUALLY.

Further, since our aforesaid two colleges, though situated in different places, issue from one stem and originally proceed from a single fount and in substance moreover are not different, nor naturally is their effect diverse, it is fitting, just, expedient and seemly that as they enjoy together a mutual relationship they shall be foreknown in their title by one and the same appellation or name whenever needful, shall attend each other with their common suffrage and mutually help each other with opportune goodwill.

We therefore lay down, order and will that in actions, disputes, causes and controversies, moved or to be moved in whatsoever

12. Valentes in L. O., not volentes as in H. & W.

courts and places, before whatsoever judges ecclesiastical (or) secular or other amicable peace-makers, by the provosts of the said colleges or one of them, or against the same provosts or one of them, in a matter of goods, possessions or spiritual or temporal rights, or things moveable or immoveable, belonging 13. to the said Royal Colleges or one of them, the said Royal Colleges are to aid each other with wise counsel, succour and opportune good will and support each other with mutual subventions and protection. And all and singular the provosts, fellows and scholars of the said colleges present and future, are to be strictly bound by force of this our present ordinance and statute to providing each other with such goodwill, counsel and succour, as soon as and according as and whenever there shall be need, when they shall have been duly requested therefor, and they are to be effectively held thereto by virtue of their making or having made their oath to the said colleges. And so let them rejoice that they have provided with mutual defence those whom identity in origin, parity in number, equality in name and, God willing, purity of perpetual mutual charity, have similarly adorned. We forbid that anyone from the aforesaid colleges, upon pretext of any assistance or favour laid out in such cases, should exact anything whatever beyond reasonable and necessary expenses. We furthermore order that the provosts, fellows and scholars of each our aforesaid colleges shall have with them reciprocally the ordinances and complete statutes of each other's college which we have issued or shall issue sealed with our seals, all

13. Spectantia both in L. O. and H. & W. cannot be right. In this phrase in the Winchester statutes, spectantium is found, which is correct.

and singular of which the same provosts, fellows and scholars, all and singular, as far as the said ordinances and statutes concern them whether communally or separately or singly, are to be strictly bound and obliged diligently to observe in perpetuity. And to the observance of them as aforesaid, we will that both the provosts and all and singular the fellows and scholars of the said colleges are to be bound under the obligation of their oath.

6. OF THE MAKING OF THE OATH OF THE SCHOLARS OF THE COLLEGE OF ETON, IMMEDIATELY AFTER THE COMPLETION OF THEIR FIFTEENTH YEAR.

Further we lay down, ordain and will that any scholar admitted to our college of Eton, immediately after he attains the sixteenth year of his age, in the presence of the provost, vice-provost and priest fellows of the said Royal College, after corporally touching the holy Gospels, shall swear publicly and personally as follows:

I N., admitted into the Royal College of the Holy Mary of Eton, swear that I have not anything so far as I know which I can spend yearly beyond five marks sterling. Further if it shall happen that I know any secrets of the said college which are to the damage or prejudice of the same I shall not reveal them outside. Further, that to the amelioration of the said college, the augmentation of the goods, lands possessions, rents and rights of the same and their conservation and defence, and the promotion and expedition of the affairs of the said college whatsoever, to whatever state in future I shall have come, I will diligently help with wise counsels, benefits, favours and aid in so far as is in me and pertains to me, and will faithfully work for the same as long as I shall live in this world. Further, that I will not procure the diminution, change or

annulment of any number set out in the present statutes and ordinances, or allow such to be done according to my power, or consent to the same in any way. Further, that as far as pertains to me I will hold and diligently observe all the statutes concerning the said Royal College by the most Christian and excellent prince Henry the sixth, by the grace of God King of England and France, founder of the said college, issued and to be issued by the same, and no others, according to the plain, literal and grammatical understanding of the same, and that I will in no way accept any other statutes or ordinances, interpretations, injunctions and modifications, declarations or other expositions, repugnant or derogatory or contrary to the present ordinances and statutes or in any way to ~~be~~ the true understanding of the same, by whatever other persons than by the same most dread prince the founder aforesaid they be made, nor will I consent thereto, nor in any way admit them, nor obey them at any time or maintain them or use them or any of them in the college or outside tacitly or expressly. Further, that I will not be a detractor, a whisperer, or one who abuses, or provokes hate, wrath, discords, envy, insults, quarrels or disputes, or claims special or superior prerogatives of nobility, family, knowledge, abilities or wealth, nor will I, among the fellows, chaplains, clerks of our same college, or other scholars of our said college, be they southerners or northerners ^{or} ~~and~~ hyperboreans,¹⁴ make in any way, whether silently or expressly, comparisons which are odious in word or deed, whether of district to district, family to family, nobility to nobility or lack of nobility or in any other

14. aquilonares seti boreales. Is there a better synonym for "northerner"?

manner whatsoever for the sake of maliciously stirring up the fellows or scholars.

Further, I will not illicitly make any assemblies, conspiracies, confederations or agreements of any kind anywhere within the Kingdom of England or outside against the ordinances and statutes concerning the said college or against the state, advantage or honour of the same college, the provost, the vice-provost or the school master or the usher or any fellow or scholar of the same, nor will I procure the same in any way in future or make or give counsel or help or favour to those making them or any of them, or knowingly take interest in the same or consent thereto tacitly or expressly. And if I know any person or persons procuring conspiring or actually doing a hurtful thing or hurtful things, I will intimate the fact to the provost, vice-provost or bursars and expressly forewarn them verbally or in writing. And that I will preserve the tranquillity, peace, advantage and honour of the said college and the unity of the fellows of the same, as far as is in me and pertains to me in what ways and manners I am able and I will procure that they are preserved and kept by others.

Further, if it happen (and may it not do so) that by reason of my demerits according to the exigency of the present statutes I am expelled or removed from the aforesaid college, I will never prosecute, molest or disturb the said college, the provost, vice-provost or any fellow or the school master or usher of the same, by reason of such expulsion or removal, by myself or another or others, or procure that they are prosecuted, molested or disturbed in any way in an ecclesiastical or secular court, but I expressly

renounce herewith with the force of a covenant, and will renounce in writing, if called upon to do so in my aforesaid expulsion, the making of any action, secular, canonical or civil, and appeal and complaint in the matter, and the obtaining of letters whatsoever, and the prayers of princes, prelates, nobles, magnates and other persons whatsoever, and all other remedies of law or fact by which I could try to have myself entirely restored or reconciled, so far as vindicating my right and title or possession in the college. Further, that I will faithfully observe all and singular the statutes of the said college as far as they concern me, otherwise I will undergo and promise that I will undergo the penalties inflicted and ordained in the ordinances and statutes of the said college, or by the judgement and decision of the provost or in his absence the judgement and decision of the vice-provost of the same college to be inflicted, ordained or decided by virtue of our statute declared below, upon those who are disobedient in the foregoing matters or in any one of them, and I will faithfully observe, with all my strength, the form and effect of the said ordinances and statutes. Further, I will not seek to obtain any dispensation against my aforesaid oaths, or against the ordinances and statutes mentioned above or any one of them, nor will I procure such dispensation to be obtained or made for myself or another or others, publicly or secretly, directly or indirectly, and if perchance any such dispensation shall happen to be obtained or freely offered or granted, by whose authority whatsoever it be granted whether generally or specially or otherwise under whatever form of words, I will make no use of it nor consent to the same in any way. Thus may God help me, and these God's holy gospels.

Of which oath and the place and day of making of the same oath, and the year of the incarnation of our Lord Jesus Christ, together with the names and surnames of those present, we will that a protocol be made at once, to be drawn up into a public instrument by a notary to be kept perpetually by the provost and fellows aforesaid. The commons and other such benefits of our college are not to be accorded to any scholar attaining the sixteenth year of his age until he has made the aforesaid oath when it is exacted of him. But if he altogether refuses to make it, he is to be expelled from our said college for ever and therewith is to be deprived of the benefit of his nomination to our Royal College of Cambridge, if he has been nominated thereto¹⁵.

7. OF THE ELECTION OF THE PROVOST OF OUR SAID COLLEGE, AND THE OATH OF THE SAME.

Further, we lay down, ordain and will that when a provost, by whatever form of vacation, has been removed from our aforesaid Royal College, the vice-provost and all the priest~~s~~ fellows in the same, immediately within two days to be counted consecutively from the time of such removal or vacation having been published and made known in the said college, are to assemble together in the collegiate church there to decide upon a suitable day for making the election of the future provost of the same Royal College, which election day they are to establish and fix for the making of this election by the vice-provost and the will of the greater part of them as soon as can be done within the quindene then immediately following, adapting the aforesaid term in such a way that within a month from the time of the known removal aforesaid in the same Royal College

15. The last sentence of this paragraph is an addition, in another, perhaps not appreciably later, hand.

they shall make the said election altogether and finally. It is however provided that they are bound and obliged to wait for absent fellows for ten days from the time of the said premonition being made to them before they proceed to the election of the provost to be. And the aforesaid vice-provost, if he be present, otherwise the senior fellow then present, is to have all and singular the fellows of the said Royal College then absent forewarned by one or more notices on the west door of the church and the outer gate of the same our college that they, together with the other fellows of our said college then present, are to attend personally in the morning on the day assigned for such election in the collegiate church of the same our Royal College for the electing of a new provost of the same, upon pain of loss of their commons which for a continuous month they would otherwise receive in and from our said college; which penalty we will them and other fellows whatsoever of our said college who have been forewarned of the said election, as aforesaid, to incur forthwith, if at the end of their genuine unawareness or of a legitimate impediment at the time assigned, they do not come and attend at the aforesaid election. When on this day and place they have gathered together, and the cause of such convocation has been declared by the said vice-provost or other competent fellow, to wit for the making of an election of the future provost there, for the obtaining more richly of the grace of the holy spirit herein before they proceed to the election they are to have the mass of the said holy spirit solemnly celebrated among them, there being present with them the school master, chaplains, usher, clerks, scholars, choristers, thirteen youths and the boy commons there; the thirteen poor men meanwhile

in the nave of the said collegiate church praying God assiduously for the same. Immediately after the celebration of the mass a discourse is to be made by the said vice-provost or other fellow publicly in common, and then, all except the aforesaid priest fellows being excluded from the said choir, this present statute is at that time to be read fully and perfectly, also this our ordinance, before they proceed to the aforesaid election. Then they are to proceed onwards to the election of the future provost of our College of Eton, notwithstanding the absence of those forewarned as aforesaid, in the form following, viz. the vice-provost beginning, if he is present, (then) all the other aforesaid fellows, touching the sacred Gospels for themselves and each one of them, in the presence of the vice-provost aforesaid shall make their corporal oath then and there, that, putting aside and leaving off all manner of love, favour, hatred, fear, envy, partiality, affection of consanguinity and affinity, respect of persons, of district or whatsoever occasion of prayer or price, with all the speed they can and without the lapse of any delay, they will nominate one of themselves, or of the fellows of our Royal College of Cambridge, or of those who sometime were in one of our Royal Colleges aforesaid and for legitimate and honest causes left the same, a master in theology or at least a bachelor therein, or a doctor in canon law, and a master in arts, ordained in the order of priesthood, of the age of thirty years, born within the counties of our Kingdom of England, a man provident and circumspect in spiritual and temporal things, in their consciences the most suitable, sufficient, discreet, useful and fit to undertake, bear, perform and exercise the office of the provost of the same our Royal College of Eton; and that they

hope and firmly believe that he whom they nominate will be able and likely to achieve most in regard to the good and healthy rule and diligent care of the same our College of Eton, of the persons, statutes and goods of the same, and its lands, possessions and rents, spiritual and temporal, and of the rights thereof. The vice-provost and other senior fellow of the said Royal College (by whom we will that the votes of all and singular present at such an election be examined) will further swear, all then being present, that they have procured or caused to be procured, will procure or will cause to be procured, nobody by word or sign, prayer or price, to the nominating, from themselves or others, of another or otherwise than the just, and sound, and proper conscience of the fellow himself who is asked or examined shall dictate; and that they will examine the vote of each of the aforesaid fellows in the nomination diligently and faithfully; and that they will write or either of them will write the vote of each nominating fellow, he himself after being examined seeing them do so, and in the presence of him the examinee they are straightway to read it, or one of them is to read it. Then the aforesaid examiners are to turn aside, where first the vice-provost, in the presence of the other his co-examiner who is to take to himself another fellow, the senior among the other fellows then present, after casting his vote in the matter purely, simply and secretly, and after it has been clearly reduced to writing, is to have the vote of his other co-examiner with the said next senior fellow in similar manner examined and reduced to writing clearly and faithfully. Then indeed the two examiners in common and together are also to examine the votes of all and singular the other aforesaid fellows diligently and secretly and singly. And they are to write or one

of them is to write the said vote of each fellow examined who is to see this done; and straightway before the withdrawal of the investigating examiners, and in the presence of each one examined, they are to read the vote or one of them is to read it. In this scrutiny, after setting the numbers in order, if they find that one person has the votes of the greater part of all such fellows as are then present, they are to publish the scrutiny of this named person soon by one of them in common. This publication being so made that aforesaid person is to be had as provost on whom the above-mentioned greater part of all the aforesaid fellows then present shall agree. But if in the said scrutiny there shall not be agreement on one person as aforesaid, then without any uproar, contradiction, dispute, appeal, supplication, or any other impediment of right or fact, one more there is to be a similar scrutiny for making a future election or nomination in the manner and form aforesaid until there is agreement and assent by the greater part of all the aforesaid fellows upon one person for the office of provost. When all¹⁶ these things have been thus done, no other order of law or process or solemnity herein being observed or required, that person thus finally nominated in the scrutiny to be provost of our College of Eton as quickly as can conveniently be done by one of the senior fellows of the same our Royal College of Eton, is to be presented to the bishop of Lincoln for the time being or, if he is in distant parts, to his vicar general in spiritualities, or if the episcopal seat is vacant to the Keeper of the spirituality of the same, together with letters sealed by the common seal of our said College fully containing the form of the aforesaid election and the tenours of our present statute and of the taking of

16. Omnibus in L.O., not, as in H & W. omnibus et singulis

the oath of the said nominated provost. To these letters upon such election or nomination and the manner and form thereof, without other approval, we wish full faith to be given.

Furthermore that fellow who is to be sent with the person named to be provost of the same our Royal College of Eton, in the presence of the aforesaid bishop, or of him to whom it shall fall for the said presentation to be made, shall have to make a discourse commending to the same our said college and the person nominated and all other persons of the said Royal College, specially, decently and honourably. And he the said bishop of Lincoln, or his vicar general, or the aforesaid keeper of the spirituality, to whom it shall fall for the said presentation to be made, is to confirm the election thus made, without any waste of time and without judicial process and without impugning of the aforesaid election or nomination, and he is to commit to the same (provost) the care of the souls of the parishioners of the said collegiate church. But if the aforesaid bishop, or another from the aforesaid persons to whom it should fall for the said presentation to be made, shall be unwilling for five continuous days from the time of the aforesaid presentation being made to him to confirm the election made of the aforesaid person in the form aforesaid and within the month aforesaid, then he who was thus elected by that same force of our present statute is to become provost of our said Royal College, and the care of all the souls aforesaid is to be regarded as committed to him and thereafter he is to be held for the true provost of the same our Royal College perpetually. But if the fellows of our said college shall not have elected within the said month, or not have observed the aforesaid form of election, then we will that they shall be deprived of all power of electing for that turn; and the power of providing a

suitable provost for our aforesaid college of Eton by these present we grant in such cases to the bishop of Lincoln or his vicar or the aforesaid keeper to whom the presentation aforesaid was made or was otherwise to be made. It shall however be that he appoint as provost one true and perpetual fellow of the said college or one of the fellows of our Royal College of the Blessed Mary and St. Nicholas of Cambridge, or one who formerly had been a perpetual fellow in either of our aforesaid colleges and had left the same for honest reasons, a man truly suitable and discreet, provident and circumspect also, one who has graduated in the manner aforesaid, who has been ordained to the priesthood, having the age of thirty years, and having been born as said before within the counties of our Kingdom of England, whom he shall believe according to God and his good conscience to be suitable fit and serviceable for this office of provost of our College of Eton, in the cases aforesaid, within the quindene then next following, and commit to the same the cure of the souls of all the parishioners of the aforesaid church. We will, however, that in the case of such devolution, the aforesaid vice-provost and his co-examiner within five days after they have become informed definitely of such an election or nomination not having been completed as aforesaid, or of the form of election not having been observed, are to certify the said bishop of Lincoln, or his vicar, or the keeper of the spirituality there, to whom in the aforesaid cases such election ought to be presented, upon the said matters by their letters sealed with an authentic seal, upon pain of expulsion from our afore-mentioned college,

which we will that they and each of them shall incur straightway in case they or one of them shall fail to do this without a legitimate impediment. And when the provost shall thus in whatsoever manner have been confirmed or appointed to his office, immediately after his confirmation or appointment, first in the presence of him who confirmed or appointed him to be provost and afterwards in the presence of the priest fellows of our said Royal College of Eton, before he is admitted to any administration, it is our will that after touching and contemplating the holy Gospels he shall make the following oath:

I, N., having been appointed provost of the Royal College of St. Mary of Eton near Windsor, swear, after touching and contemplating these holy Gospels, that I will rule, keep, direct and govern as far as I am able and cause to be ruled, kept, directed and governed, the said college, lands, tenements, possessions, spiritual and temporal rents, rights, liberties, privileges and goods of the same whatsoever, as well as all and singular the scholars, fellows and persons of the same Royal College according to the statutes and ordinances of the most Christian and excellent prince Henry the sixth King of England and France and lord of Ireland, founder of the said college, without any respect of persons, family or district. Further, I will not be unjustly favourable or partial to any one rather than another of the priest fellows, scholars, chaplains, clerks or other persons of the said college, nor shall I in any manner take the side of any one against justice or against the love of charity and brotherliness by bringing in any way troubles or annoyances to anybody by myself or through another.

And as far as in me lies I will diligently and indifferently make and exercise or have and procure to be made and exercised by others corrections, punishments and reformatiions, due reasonable and just, of whatever offences, crimes and excesses of the fellows, scholars and other persons of the said Royal College whatsoever, as often, where and when as need shall be, according to the quality of the affair and all the force, form and effect of the ordinances and statutes of the said college issued by the said most dread prince and in future to be issued, without partiality whatever, all manner of prayer, price, love, fear, hate, envy and favour being laid aside and left off, together with affections of consanguinity and affinity and special privileges from whatever causes alleged and conceived, and I will faithfully in every respect execute as far as possible and see to the execution of what has to be done in those matters; and if I am not able duly to make such punishments and reformatiions as aforesaid, through fear and the power or multitude of the delinquents, as soon as I can within two months I will denounce and reveal their names and surnames with the nature and quantity of such offences, crimes and excesses to the bishop of Lincoln, or, if he is in remote parts, to his vicar general in spiritual things or, if the episcopal see is vacant, to the keeper of the spirituality there, and through them I will procure that such corrections, punishments and reformatiions are made according to the aforesaid statutes and ordinances as expertly and swiftly in all ways as in me lies. Further, I will faithfully and diligently exert myself in the government and control of the lands, possessions and rents spiritual and temporal, as well as in the administration of the goods and property belonging to the same college of whatever kind with due diligence and prudence

such as God shall grant me; and to the best of my power I will make others who have been deputed and are to be deputed to be officials and ministers of the same college to exert themselves in their offices and ministries. Further, I will administer the goods and chattels of the said college to the convenience and use of the same, as evident necessity shall demand and the statutes and ordinances of the said most illustrious prince shall dictate herein, and will procure and see that they are usefully and faithfully administered by others, and I will preserve and have faithfully preserved what residues there may be or may forthcome to the increment and advantage of the said Royal College. Further, I will defend the suits and pleas whatsoever of the same college and will diligently prosecute all and singular the affairs of whatever kind which concern the said college, and I will vigorously maintain and defend the possessions, liberties, privileges and rights whatever of the said college and see that they are maintained and defended by others, in such a way, however, that I shall not begin or move, or have initiated or moved in any manner, causes, pleas or serious suits in which the disinheriting or grave prejudice of the same college could be at issue without the mature and deliberate consent of all the priest fellows of the said college or the greater part of the same. Further, I will not be absent in any year from the said college more than sixty continuous days, or discontinuous on various occasions, except in and on behalf of the affairs of the aforesaid college, or from an urgent and just cause to be approved by the greater part of all the fellows of the said college then present. Further, as often as any election of scholars to the Royal College of Cambridge,

or of fellows, scholars or poor men to the Royal College of Eton, is about to be made, in order that only such are elected as according to the conditions and qualities expressed in the ordinances and statutes of the said colleges I shall deem fit and suitable, and whom in the sciences and faculties in which they are concerned I shall firmly believe to be the most capable and likely to make progress, to the advantage and utility of the said colleges, without respect of persons or district, love, hate, envy and favour, fear, prayer and price whatever being laid aside as far as appertains to me I will faithfully set forth my choice and procure that it is effectually made. Further, I will make and apply due diligence that there be provided for the said Royal College and the scholars and choristers of the same from good honest sufficient and suitable persons a school master and an usher under him for the instruction of the said scholars, together with an honest virtuous clerk or priest well and sufficiently instructed in part singing and other matters, who shall teach and instruct in such singing the choristers of the same Royal College who are to be instructed therein. And so far as in me lies and as pertains to me I will make and also procure that they apply themselves to their offices, and diligently give their time to the same and faithfully exercise them, and those who are negligent about their offices and culpable or otherwise useless as it shall seem to be most necessary for the welfare, utility and honour of the said college, I will chide, punish or in some cases remove from their offices. Further, in the

event that it may befall that by my own fault or for some other cause I am removed from my office or perchance give up the same office, the goods of the said college which I shall have received after such removal or giving up and which having been previously received for me I shall have applied to myself or to my own use, except those which are allocated for such an office in the statutes and ordinances of the said college of Eton, I will restore in full and repay to my successor as provost of the said Royal College of Eton and to the same college without contradiction or diminution whatsoever.

Further, if by me or by my occasioning any matter of dissension, anger or discord shall be stirred up in the said college of Eton (and may there be none such), if upon the same matter by the priest fellows and the school master of the scholars a reasonable end is not made, then I will stand by the ordinance disposition declaration award and arbitration of the bishop of Lincoln for the time being, or if he is in distant parts, of his vicar general in spiritual affairs, or, if the episcopal see is vacant, of the keeper of the spirituality of the same, and will faithfully observe what any of them shall decree ordain and define in the matter and will obey them effectively and promise that I will humbly submit myself, with the ending of appeals, provocations, complaints, exceptions and other remedies of law and fact whatsoever all and singular of which I renounce in these writings with the force of a compact. Further, I will diligently hold, execute and also observe and as far as in me lies will make to be held executed

and observed by others the ordinances and statutes of the said Royal College of Eton as well as those of the College of the Blessed Mary and St. Nicholas of Cambridge by the aforesaid most excellent and most Christian prince Henry the Sixth King of England and France, founder of the same Royal Colleges, issued and to be issued, as far as they concern me, according to the plain, literal and grammatical sense and understanding of the same. Further, I will not reveal outside in any manner secrets of the said Royal Colleges to the damage and prejudice of the same. Further, I will diligently help the improvement of the said colleges, the augmentation of their goods, lands, possessions, rents and the conservation and defence of the rights of the same, and the promotion and expedition of the affairs of the said colleges whatsoever to whatever state, grade, dignity or office I shall attain in future, with sound advice, benefits, favours and help, so far as in me lies and pertains to me, and I will work faithfully on behalf of the same, and so far as is possible I will apply myself to the said affairs until their final and happy expedition so long as I shall live in this world. Further, I will not procure the diminution, mutation, translation or annulment of any number of scholars in any science or faculty, nor either of the numbers of the priests, chaplains, clerks or other ministers of the churches of the said colleges, limited by the statutes and ordinances of the same, contrary to the form of the statutes and ordinances of the same colleges, or permit such to be done or tolerate the same so far as my power goes, or consent to the same in any way. Further, I will not in any

manner accept any other statutes or ordinances, interpretations, changes, injunctions, declarations or expositions or other glosses to the present ordinances and statutes or in any way whatever repugnant, derogatory or contrary to the understanding and sense of the same made¹⁷ by any person or persons whatever other than by the said most excellent prince Henry the Sixth the founder aforesaid, or consent to them or in any way admit them or obey the same at any time or maintain them, nor will I use them or any of them in any way in the aforesaid colleges or outside, tacitly or expressly, but I will contradict them and each of them, and also resist them expressly and hinder their execution by all ways and means I know as far as I can. Further, I will not be a detractor, a whisperer, a fault finder or provoker of envy, hatred, wrath, discords, contumelies, quarrels or disputes, or one who claims special or surpassing prerogatives of nobility, birth, knowledge, faculty or wealth, nor will I in any way make comparisons among the fellows, chaplains, clerks, scholars or other ministers of the same colleges or others of the university of Cambridge between those ~~scholars~~ scholars who are of the south and those who are northerners or hyperborean, or between sciences and sciences, faculties and faculties, district and district, family and family, nobility and nobility or ignobility, or in any other way whatever, comparisons which are odious in word or in deed, in order maliciously to stir up the fellows, chaplains

tip/

17. fiendas in L. O. ; in H & W. fiendis incorrectly

or scholars, the sciences or faculties, tacitly or expressly, publicly or secretly. Further, I will not illicitly make any conventicles, conspiracies, confederations or any covenants anywhere within the Kingdom of England or without, contrary to the ordinances or statutes concerning the said Royal Colleges, or against the state, welfare or honour of the said colleges, or against the provost of the Royal College of Cambridge or any of the fellows of the said colleges, nor will I procure or permit them to be made by others as far as in me lies in any way in future, or offer or give advice help or favour to those making such things or any of such things, or presume knowingly to interest myself in the same or consent to the same tacitly or expressly.

Further, I will procure and as far as I am able make to be admitted the scholars of the said Royal College of the Blessed Mary of Eton into the aforesaid Royal College of the Blessed Mary and St. Nicholas of Cambridge to years of probation according to the form of the ordinance and statute above issued in this case elected or nominated or to be elected or nominated according as it is more fully contained above in the ordinance and statute aforesaid. Further, I will not seek to obtain any dispensation against my aforesaid oaths and against the ordinances and statutes set forth above, or any one of them, nor shall I procure that such dispensation shall be obtained or made for me or another or others publicly or secretly, directly or indirectly. And if perchance it shall happen that any such dispensation is obtained or freely offered, by whose authority whatever it may be, or whether generally or specially granted or otherwise under

whatsoever form of words, I will not use it or consent to the same in any manner, so God help me and these God's holy gospels. And if it befall in future that I on account of my demerits or for causes contained in the present ordinances and statutes according to the form of the said ordinances and statutes, am expelled from my office or otherwise removed from my certain knowledge purely, spontaneously, simply and absolutely, I renounce in these writings with the force of a covenant the instituting of any action on the occasion of such expulsion or removal against the fellows or any fellow of the said Royal College of the Blessed Mary of Eton, or the making of an appeal or complaint in the matter, or the obtaining of letters whatsoever, by the prayers of princes, prelates, noblemen, magnates and others whatsoever, as well as remedies whatsoever of the ecclesiastical or secular court, or all other remedies of law and fact by which I might seek to be re-instated or restored in full contrary to the foregoing, however much otherwise the merits of my probity¹⁸ and my life may be in my favour.

We will that a public instrument immediately be made of the aforesaid oath furnished with the mark and subscription of some notary public, containing the tenour of the said oath and the day and form and the name and surname of him who swears together with the diocese to which he belongs, which within eight days after the oath thus made is to be deposited in the common treasury of our said Royal College of Eton, and there it is to remain perpetually¹⁹ under diligent custody.

18. probitas H. & W. prohibitatis

19. perpetuo H. & W. imperpetuum

8. OF THE OFFICE OF PROVOST OF OUR
ROYAL COLLEGE OF ETON.

Further, we lay down ordain and will that the provost of our said college for the time being shall be pre-eminent over and shall govern all and singular the priest fellows, the school master of the scholars in grammar, the usher under him, the chaplains, clerks, scholars, choristers, youths and poor men, together with all and singular other persons, offices and ministers of the said college by whatever name they are called, and he is to rule, direct and govern them according to our ordinances and statutes issued to that end and to be issued by us in our times, and all and singular the same he is to correct, punish and chastise in respect of their defaults according to the force, form and effect of our statutes and ordinances of our said Royal College. And the same provost with due diligence and prudence is faithfully and diligently to see to the happy and healthy rule and care of our college and the persons of the same and the lands, possessions and rents spiritual and temporal of the aforesaid Royal College, and the care furthermore of the souls both of the persons of the said college and of all and singular the parishioners of the collegiate church there, and the administration of the property and goods whatsoever belonging to the said college in any way. And so far as he is able he is to make the other officers and ministers of the same our college, and those deputed and to be deputed in various offices and ministries to apply themselves to their offices and ministries and diligently exercise them to the commodity, utility and honour of the said college, and all and singular of these, so far as

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pertains to him, he is faithfully to keep and govern and to see that they are kept and governed by other officers and ministers of the same Royal College, and he is to procure and see that all and singular the aforesaid goods are to be usefully dispensed and in all things administered to the commodity and utility of the said college as far as evident necessity shall exact and our ordinances and statutes in this respect more fully dictate. And he is to procure and see that those things which are residues and increases are faithfully conserved to the increment of the said Royal College. We furthermore lay down, will and ordain that all pleas both real and personal in any way concerning our said college of Eton and all the possessions of the same acquired and to be acquired, in whatever courts they are moved, the provost of the same college for the time being, in the name only of the provost himself and the college, is to prosecute and defend them, any naming or mention in such prosecution or defence of the fellows or scholars or other persons of the said Royal College of Eton being not in the least required. However, he is not to attempt to initiate or undertake serious suits or arduous affairs which might lead to the grave loss or prejudice of the said Royal College without the advice and assent of all the fellows of our said college or the greater part of the same. Furthermore we y/ lay down that the same provost shall on no account absent himself from the said Royal College for more than sixty continuous days, or discontinuous if on various occasions, in a year, except on the business of the aforesaid college and for an urgent and grave cause to be approved by the greater part of all the fellows of the said college then present convoked specially for the purpose, provided always that when as aforesaid it shall be fitting for him

to be absent, he shall thus seize a time or hour of such absence that his absence may not redound to the loss or prejudice of the said Royal College, and that in the solemnities of Christmas, Easter, Pentecost and the Assumption of the Blessed Virgin or at other feasts or days in which according to the statutes below written he is bound to perform the divine offices, he shall in no wise be absent unless a greater and more palpable cause shall demand it.

9. OF THE MANNER AND FORM OF ELECTING PERPETUAL FELLOWS TO THE COLLEGE AND THE OATH TO BE MADE BY THE SAME.

Further, we lay down, ordain and will that in our said college of Eton, over and above the number of the said provost and seventy scholars, there shall be always and continually, as aforesaid, ten secular priests perpetual fellows, of sufficiency in letters, having skill and ability in reading and singing, to be elected and admitted by the provost and priest fellows conjointly, to wit whenever it shall happen that the place of any of the said number of perpetual priest fellows is vacant, the provost and all and singular the perpetual priest fellows then present, as soon as they are able, are to assemble in the collegiate church of the said Royal College for the providing of a new fellow priest, and their corporal oath having been made by each of the priest fellows on God's holy gospels, the provost laying it upon them, that discarding all perverse love, hate, favour, partiality and affection whatever, they will nominate and elect in this sort such persons as they shall deem well and conspicuously suitable for the honour, utility and commodity of the said college, the provost being the

first to make the common oath in the presence of the said priests, the vice-provost or other senior fellow priest exacting the said oath. The same provost and fellows are to nominate and elect another priest or priests, in the place of the fellow priest who has vacated or of the fellow priests who have vacated, from the fellows of our Royal College of Cambridge or from those who previously had been in the same and for legitimate and honest causes had left it or from the stipendiary priests of the same college of Eton or from those who had been previously in the same, or others from other colleges or places²⁰, according to their discretion, an able and sufficient man of laudable life, honest morals and condition and conversation, in temporal matters²¹ provident and in spiritual circumspect, of sufficiency in letters, having skill and ability in reading and singing, and being a master or bachelor in the faculty of sacred theology, or doctor in canon law, who first however shall be a regent²² in arts or at least a master in arts. And this is to be added, that when it happens that such a nomination and election is to be made, so many persons having the aforesaid conditions and qualities are to be nominated as to make it possible that the requisite number of priests will be supplied from those nominated. When such nomination and election have thus been made, the aforesaid provost and priest fellows of the said college of Eton, as soon as they conveniently can, within six days shall be obliged quickly to intimate the same nomination²³ by their letters sealed with the common seal of the said college of Eton

20. L.O. reads vel de eis qui prius fuerant in eodem habilem et sufficientem aut aliis de collegiis vel locis aliis. H. & W. has vel de hiis qui prius fuerant in eodem et ex causis licitis et honestis recesserunt ab ipso habilem et sufficientem aut aliis de collegiis vel locis aliis

21. in temporalibus. H. & W. temporibus
22. rexerit. A regent was a lecturer or a master presiding at disputations.
23. H. & W. has infra sex dies nominationem eandem sequentes. Nominationem must be taken as the object of intimare, leaving sequentes, which does not occur in L.O., as an unintelligent interpolation.

to the priests thus nominated and elected one after another in that order in which they shall have been nominated and as need shall be for the completion of the number aforesaid; and we will that each of those thus nominated, as soon as he can, within ten days of the intimation being made to him, shall give his consent if he wishes to consent to the nomination and election made of himself, and certify the provost or vice-provost of our college of Eton by letter to that effect, under pain of the loss of right or title acquired by him from such nomination or election in any manner whatever. Provided always that the nomination, election and admission of any such priest into our college of Eton are to be finally terminated in the manner and form aforesaid within the space of one month to be computed continuously from the time of the vacation aforesaid. Otherwise if by the negligence, guile, fault or evil intention whatever of the said provost and fellows within the aforesaid time the number shall not have been effectively completed, then over and above the punishment of perjury which we will that each one of them who is guilty in this case shall incur forthwith, we then further take away from them on this occasion the faculty of electing to the vacant place or places, transferring all power whatever then of appointing to

such place or places to the bishop of Lincoln for the time being, or if he is in distant parts to his vicar general in spiritual matters, or if the see of Lincoln is vacant to the keeper of the spirituality of the same. In this case we will that the said provost and vice-provost by their letters patent sealed with an authentic seal are to certify the said bishop of Lincoln, or if he is in distant parts his vicar general in spiritual matters, or if the see of Lincoln is vacant the keeper of the spirituality of the same, concerning such devolution and the manner and form of the same within ten days from the time at which the same devolution shall with certainty have become evident to them, under pain of perjury²⁴ which we will that those and each of those who are delinquent in this respect shall incur forthwith. Those moreover who have been thus nominated and elected or appointed in this way shall swear on the holy Gospels of God before they are admitted effectively to our Royal College of Eton in the following form:-

I, N., priest, nominam and elected perpetual fellow of the College of the Blessed Mary of Eton, swear on these holy Gospels of God corporally touched by me that I will diligently maintain and also observe all the statutes and ordinances concerning the said college of Eton, as well as the Royal College of the Blessed Mary and St. Nicholas of Cambridge, issued and to be issued by the most Christian and most excellent prince Henry the Sixth by the

24. de eadem devolutione certitudinaliter constiterit certificet sub poena perjurii quam eos. These words have been added in the margin of L.O., apparently in the hand of the scribe.

grace of God king of England and France etc., founder of the aforesaid Royal Colleges, and all and singular the contents of the same as far as they concern me, according to the plain, literal and grammatical sense and understanding of the same, and I will also make them to be maintained and also observed by others. Otherwise I will submit to the penalties upon those who are disobedient in the premises or upon any one of them inflicted and also ordained in the ordinances and statutes of the said Royal College of Eton, or by the judgement and award of the provost or in his absence the judgement and award of the vice-provost, by virtue of the same our statute below, to be inflicted, ordained or awarded, and promise to submit myself humbly according to the whole force, form and effect of the ordinances and statutes aforesaid. Further, if it happen that I know any secrets of the aforesaid Royal Colleges I will not reveal them outside to the damage or prejudice of the same. Further, I will diligently help, as far as in me lies and as shall pertain to me, towards the improvement of the said Royal College of Eton, the augmentation of its goods, lands, possessions, rents and the conservation, defence and promotion of the rights of the same and the expedition of the affairs of the said college whatsoever to whatever state, grade, dignity or office I shall in future have attained, with wise advice, benefits, favours and aid, and will faithfully work for the same and will persist until the final and happy expedition of the affairs of the aforesaid college so far as I am able, as long as I shall live in this world. Further, I will not procure the diminution, mutation or annulment of the number

of scholars, priests or ministers of the church of the same college limited by the present statutes and ordinances, contrary to the form of the same statutes and ordinances, or permit such to be done so far as I am able, or consent to the same in any way, and I will not in any way accept any other statutes, or ordinances, interpretations, mutations, injunctions, declarations or expositions or other glosses repugnant, derogatory or contrary to our present ordinances and statutes or in any way whatever to the true sense and understanding of the same by whatever other person or persons to be made than by the same aforesaid most dread prince our founder, nor will I consent to them in whatever way or admit them anyhow, nor will I obey the same in any manner nor maintain them, nor use them or any of them in the college or without, tacitly or expressly, but will contradict them and each one of them and also resist them expressly and hinder them being made in all ways and means I know as far as I am able. Further, I will not be a detractor, a whisperer, a fault finder or provoker of envy, hatred, wrath, discords, contumelies, quarrels or disputes, or one who claims special or surpassing prerogatives of nobility, birth, or wealth, nor will I in any way make comparisons among the fellows or scholars of the same College of Eton, of district and district, family and family, nobility and nobility or ignobility, or in any other way whatever, comparisons which are odious in word or in deed, in order maliciously to stir up the fellows or scholars,

3/ tacitly or expressly, publicly or secretly. Further I will not illicitly make any conventicles, conspiracies, confederations or any covenants anywhere within the Kingdom of England or without contrary to the ordinances or statutes concerning the said college of Eton or against the state, welfare or honour of the said college or against the provost, vice-provost or any fellow of the same college, nor will I procure them or permit them to be made by others as far as in me lies in any way in the future, nor will I afford or give to those making them, or any one of such things, advice, aid or favour, or knowingly presume to concern myself in the same or consent thereto tacitly or expressly. Further, I will not obtain letters or prayers of princes, prelates or other magnates whatever or procure other means to be used by which I may at any time whatever be elected or accepted to the office of the provostship, the vice-provost^{ship} or other offices whatsoever within the same college to be held by me, and I will be faithful and diligent also in whatever such office to which it shall befall that I am elected and accepted in the same college without the obtaining of such letters and prayers and illicit procedures, and when I shall have been duly elected and thus appointed to that office, I will enter upon it and as far as I am able will faithfully fulfil it. And I will be faithful to the said college. I will by no means, so far as in me lies, cause damage, scandal or prejudice to the said college nor in any way endure that they should be caused but I will prevent them by myself and by others to the best of my ability, and

if I am not able²⁵ to prevent them, I will reveal them to the provost, vice-provost or bursars of the said college.

Furthermore, I will obey and help the provost, and in his absence or if he is legitimately prevented the vice-provost, and, if by chance they are absent from necessary and urgent reasons, then the senior fellow present, in legitimate and honest affairs and especially in those of the said college, and I will obediently use due reverence to them. The monitions and injunctions and decrees, corrections and punishments whatsoever of the provost and vice-provost of the said college whoever they be for the time being, according to the form of the ordinances and statutes of the same college to be made in future, as far as in me lies and appertains to me, I will obey ~~and~~ humbly and effectually, and what is contrary or repugnant to the foregoing whether in judicial procedure or outside it, tacitly or expressly, I will not do or procure to have done, or consent in any way to the same. Further, in the electing and admitting of true and perpetual priest fellows to the said college of Eton I will contribute and give my faithful advice and aid with all favour laid aside, in order that the same may be provided with good persons, chaste, modest, honest, suitable according to the form of the statutes aforesaid.

Further, I will not seek to obtain any dispensation against my aforesaid oaths or against the ordinances and statutes promulgated above, or any one of the; nor shall I

25. H. & W. p. 512 ll. 1 and 2. In L. O. the passage from non potero to preposito (l. 2) is written in another, perhaps later, hand.

procure that such dispensation shall be obtained or made for me or another or others publicly or secretly, directly or indirectly. And if perchance it shall happen that any such dispensation is obtained or freely offered or granted, by whose authority whatever it may be, or whether generally or specially granted or otherwise under whatsoever form of words, I will not use it or consent to the same in any manner, so God help me and these God's holy Gospels. And if it befall in future that I on account of contempt, rebellion, disobedience, bad morals or other my demerits, or for causes contained in the present ordinances and statutes am corrected or punished by the provost or vice-provost according to the form of the ordinances and statutes, or otherwise by the said college ejected, expelled, deprived, excluded or removed, from my certain knowledge purely, spontaneously, simply and absolutely, I renounce in these writings with the force of a covenant the instituting of any action on the occasion of such correction, punishment, deprivation, exclusion, expulsion or removal against the provost or other fellows of the said college for the time being conjointly or severally, or the making of an appeal or complaint in the matter, or the obtaining of letters whatsoever by the prayers of princes, prelates, noblemen, magnates and others whatsoever, as well as remedies whatsoever of the ecclesiastical or secular court and all remedies of law and fact by which I might seek to be reinstated or restored in full contrary to the foregoing, however much otherwise the merits of my probity and my life may be in my favour.

We will that of the aforesaid oath there be made at once a public instrument, furnished with the mark and subscription of some notary public, containing the tenour of the said oath and the day and form and the name and surname of him who thus swears together with the county and diocese to which he belongs, which is to remain with the provost of our said college in perpetuity under diligent custody. We will that he who is thus admitted and sworn shall be called a true and perpetual priest fellow of our said college.

10. OF ^{THE NUM} ~~THE NUM~~ BER OF CHAPLAINS, CLERKS AND CHORISTERS, AND OF THE OFFICES, SERVICES AND STIPENDS OF THE SAME.

Furthermore, in order that the divine offices in the collegiate church of our Royal College may each day the more devoutly and perfectly be fulfilled, we lay down, ordain and will that beside the aforesaid provost, fellows and scholars, there shall always and continuously be in the same ten secular chaplains, removable, men of good condition and honest conversation, graduates in some faculty if such may be conveniently had, otherwise men of sufficient and laudable learning and adequately instructed in singing, suitably and well qualified in their voices to serving and singing daily in the choir there. And these chaplains shall be bound daily to officiate for the same collegiate church and they are to help as need may be the fellows and scholars of the same our college, when and as often as they have to chant and read in the same church in singing, reading and psalmody. And for

their work and stipend they are to receive from the common goods of the same college each one by the year a hundred shillings sterling, above all the weekly commons which they receive as fellows of our said college, and a livery of cloth as is set out below. Further there are to be in the same Royal College four clerks, honest men and endued with high moral qualities, having skill in reading and chanting ~~or~~ and also part singing, similarly being well qualified in their voices, of whom one at least must know how to play the organ, whom alone of the clerks of our aforesaid college, if another is not able to be had conveniently, we allow to be married. In addition to these there is further to be one parochial clerk similarly an honest and clerical man, having the first tonsure, and adequately instructed or shortly to be instructed in reading and singing as well as in the ordinal of Sarum and the customary of the said college, whom we wish to be taken from the scholars of our grammar school there if such a one is to be found suitable in the same who is willing to assume such an office of clerk. This office is specially to consist in the diligent work which he will do concerning the administration of the sacraments and sacramentals to the parishioners, as well as the singing of bells and generally all those things which are wont to pertain to the office of parish clerk. Further there is to be one other sixth honest clerk specially deputed to the keeping of the vestry, similarly instructed in reading and singing, having a competent voice whom we wish to be called the clerk of the vestry. We will that the four clerks instructed in part singing, beyond their weekly commons and

other things which they will otherwise receive in the said our Royal College, shall receive from the goods of our Royal College aforesaid viz. the instructor of the choristers six pounds; the three others similarly instructed, each one six marks; the clerk of the vestry beyond his commons and livery of cloth, five marks; the parish clerk over and above these things which he will otherwise receive from the parishioners, and beyond his weekly commons and livery similarly five marks. And we will that the said four clerks instructed in part singing are to sit in the first meals at a table of gentlemen unless for some reason the provost or, in his absence, the vice-provost shall deem otherwise. But we will that the parish clerk and the clerk of the vestry, with four other clerks concerning whom provision is made below, be present at the times of meals in the hall to help the other ministers of our said college in serving the provost, the vice-provost and the other fellows with due reverence and honour, and afterwards at the second meals we wish them to dine and sup with the other servants of the college. This however we manifestly forbid, that anyone who is lame or maimed or otherwise mutilated, or who suffers any other conspicuous defect in body, shall in any way be admitted to the aforesaid number of clerks or thirteen poor youths aforesaid.

Usp /

We further lay down that of the aforesaid chaplains, one is to be elected by the provost, vice-provost and precentor each year as succentor of the said collegiate church, who in

the absence of the precentor and especially on week days (ferialibus)²⁶ by singing and chanting shall have the obligation and duty of repeating and otherwise in the choir performing the office of the same cantor in all and singular matters which pertain to the said office, and we will that he each year shall receive twenty six shillings and eight pence from the common goods of our Royal College for his stipend and labour therein. We further ordain that the stipendiary chaplains aforesaid, the school master and the usher and all the clerk^s of the collegiate church there, the boy choristers, thirteen youths and the boy commensals in the same, who have attained the fifteenth year of their age and the other officers and ministers of the said Royal College, of whatever condition they be, are to swear that they will on no account reveal the secrets of the said college. And if it befall that they know any dangers, losses or prejudices that there will be, or that are imminent to the aforesaid college, they are to make them public and reveal them to the provost, vice-provost and bursars of the same our college as quickly as they conveniently can without delay of any kind. And each one of them is to swear that he will be obedient to the provost of the same Royal College and, in his absence to the vice-provost, in their legitimate and honest commands, and that in any cause (save only in one of his own) he will

26. diebus ferialibus or feriatis occur half a dozen times in the Statutes. The words may signify feast days, holidays or weekdays. I have in each case translated them as weekdays, but added the Latin in a bracket to remind the reader of the uncertainty of meaning.

never at any time knowingly by advice or favour, word or deed, be against the said our college or the Royal College of the Blessed Mary and Saint Nicholas of Cambridge but will help the same and each one of them with his aid, advice and favour as long as he shall live in this world. We further ordain that the stipendiary chaplains and clerks aforesaid shall swear that at no time ever will they leave the said Royal College for the reason or with the intention that after such departure they may become vicars or clerks in any college, chapel or collegiate church within seven miles of our aforesaid Royal College, under pain of perjury and restitution of all and singular things by them received from our said Royal College in the whole time in which they have been chaplains or clerks in the same, and that four months before his final departure from the same, (each one of such) is to forewarn the provost of the said Royal College about such departure or, in his absence, the vice-provost of the same, unless some reasonable cause shall excuse them herein, in order that it may be possible for another suitable chaplain or clerk to be conveniently provided in his place before his departure. And we will that the said chaplain elected, as aforesaid, to the office of succentor, shall swear in the presence of those electing him that he will diligently and faithfully in all things perform this office according to the discretion given him by God. We furthermore lay down and ordain that beside the provost and beyond the number of seventy scholars, ten chaplains and six clerks aforesaid of the said college, sixteen poor and indigent boys,

of good condition and honest conversation, known to be within the age of twelve years, knowing competently how to read and to sing, to be called choristers, for serving, reading and singing in the said collegiate church and helping daily the priests who are to celebrate in the same church and otherwise serving in the divine offices in the same, are to be received and also admitted into the said Royal College by the intuition of charity. It is not our will that any one of the said Royal College, of whatever condition he shall be, shall send any of the said choristers into the town or to other places outside the said college or take them with him, or that the said choristers shall wander there or elsewhere without licence of the provost, vice-provost or the master of the same, but we will that they shall be diligently employed about the aforesaid services in their turns, and shall be continually occupied at suitable time therefor with their learning. We furthermore lay down that there be always and continually, four other clerks having likewise competent voices and a sufficient knowledge of reading and singing whom we will to serve in the divine offices in the choir daily and two of them to help the keeper of the vestry in his business and the other two to help the parish clerk principally in the ringing of bells. And we furthermore allow that there be thirteen poor youths who at the time of their reception shall have completed the fifteenth year of their age and not have exceeded the twentieth, to be received by the provost of the same college or on his advice from the external scholars of our grammar school there, if so many able and suitable

are to be found there, otherwise in other places where they can be better found, who are always regularly to apply themselves to the ringing of the bells and to help the parish clerk in ringing the same when and as often as there shall be need, and furthermore at the times of meals in the hall they are diligently and duly to serve the provost, vice-provost and fellows, and in the cleaning of the church, the hall and the other buildings and places of the same college, and the tidying of the garden there when they shall be ordered to do so by the provost or vice-provost, they are to labour to good effect. And we will that, after the said provost shall first have chosen two for his own use and needs, the aforesaid youths are to be allocated and distributed by the same singly to each of the fellows and the master in grammar of our aforesaid college, to serve the same in their rooms and on their several affairs as they shall be bid. In such labour and service however we allow and will them to use such moderation that they are by no means to be withdrawn or in any way hindered from ringing the bells at the times at which, as is laid down above, they ought to be employed thereat. And not only by their instruction but also by the exercise of our grammar school there they are thus to be able to be instructed suitably and sufficiently within the twenty fifth year of their age, and then they are to be held fit in knowledge to take holy orders to which we have intended them especially and particularly in our Royal College to be admitted. Beyond that year we do not permit any one of them to stay in our said college in that kind of office, unless

being adequately instructed in the art of the scribe he is willing to serve in the transcribing of books for the provost or any of the fellows according to his instructions for a competent salary²⁷. For the weekly commons of these youths who are thus to be distributed between the aforesaid provost, fellows and school master, and their liveries which each year they are to receive of the habit of yeomen clerks, we will that they shall be satisfied from the common goods of our college. But for the rest of their maintenance we will that it be provided by the aforesaid provost, fellows and school master whom, as aforesaid, they severally will be serving. But we will that those two clerks who will help the keeper of the vestry and those other two who will help the parish clerk as aforesaid, beyond their commons and yearly liveries which they will receive of the habit of yeomen, they are to receive for salary and stipend as much as can be reasonably agreed upon between the provost and the same. And we will furthermore that it shall be lawful for the provost of the aforesaid college by whom we will that the said chaplains, clerks, choristers and the said thirteen poor boys, all and singular, are to be provided and received, and in the absence of the same provost for the vice-provost, to seize and punish the same chaplains, clerks, choristers and youths, all and singular, who are idle and negligent in their services, and, if it

27. L. O. has juxta ejus limitationem voluerit pro competenti salario deserire. H. & W. astray with juxta limitationem voluerint tempore competenti salario deserire.

seems good to the said provost, to expel and remove for ever them and each one of them from their offices and ministries and even from our aforesaid college. But if the parish clerk in those things which concern his office shall be found negligent, if after being once warned he is convicted a second time of delinquency, we will that according to the discretion of the provost, or in his absence of the vice-provost, he be restrained and punished for each time that he shall trespass by the subtraction of one or two pence from his salary. But if in his office he shall so often be convicted of delinquency that he seems to be altogether useless and incorrigible, we will that he be altogether removed and expelled from his office by the provost. And we most straitly charge the aforesaid provost that when the place of any of the aforesaid chaplains or clerks shall be void, from such persons as have been before mentioned and not from others, without prayer or price, hatred, favour and evil intent whatsoever, he is to fill the place as soon as he can within a month. We further add and lay down that if it happen that the same number is lacking by one or more, then for each chaplain who by the craft, fault or negligence of the aforesaid provost shall be lacking after a month, for each month that there is such a lack 6s. 8d., for each clerk thus lacking 3s. 4d., are to be effectively subtracted from the portion of the provost and applied to the commons of the fellows and scholars until it shall happen that the number of such

chaplains and clerks shall have been effectually filled. And we straitly charge the fellows of the same College that they are diligently to press the provost, and in his absence the vice-provost, for the filling of the number, thus deficient, of such chaplains and clerks and are to bring their influence upon the same provost by such ways and means as they shall think most expedient.

11. IN WHAT THINGS THE PRIEST FELLOWS, CHAPLAINS, CLERKS, SCHOLARS AND OTHER MINISTERS ARE TO OBEY THE PROVOST.

Further, we lay down, ordain and will that all and singular the fellows, chaplains, scholars, clerks and other persons whatsoever, and the officers and ministers of our college aforesaid, are to be bound and obliged to obey and also to follow and be subject to the provost of the same for the time being and in his absence the vice-provost of the same Royal College in their legitimate and honest commands and actions whatsoever touching the provision and state of our same college, its rule and welfare and honour, and our statutes and ordinances of whatever kind, unless they can show a true, just and reasonable cause before the provost, or in his absence the vice-provost, to be approved by the same provost, or in his absence the vice-provost, by which they may deservedly be excused.

But if anyone in the premises, or in any one of them shall be found rebellious or disobedient, he is to be deprived forthwith of his commons in our college aforesaid

by virtue of this our present ordinance, until he shall effectually be obedient in the same; and if, notwithstanding, he shall persist in such rebellion or disobedience for fifteen days, and it is a question of the disobedience of one of the fellows, we then will that if the cause shown by him, as aforesaid, to the judgement of the provost, vice-provost, and three other fellows of our same Royal College then present, if it is not a question of the rebellion and disobedience of the vice-provost, and if it is, then the cause brought forward by the said vice-provost to the judgement of the provost himself and four fellows of the same Royal College, appears by no means just and reasonable and true, such a disobedient and rebellious fellow is to be forthwith deprived from our said Royal College and utterly excluded from the same for ever.

We furthermore forbid that any of the priest fellows or chaplains, at those times in which by virtue of the present statute or of another our statute whatever they shall be deprived of their commons in the said college, shall dine, sup or pass the night outside the said college without the licence of the provost, or in his absence of the vice-provost, but at their own expense they shall have themselves provided with victuals at such times within the aforesaid college, and in their own rooms, or in other seemly places within the same Royal College, outside the common hall, unless the provost shall direct otherwise, they are at such times

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to refresh themselves humbly and modestly. This is always to be observed, that at such times, being contented with only one fellow of the said Royal College to be appointed for them by the provost or in his absence the vice-provost, they are to have nobody whatever from outside with them at such meals, unless by permission of the provost or in his absence the vice-prpvost. Nor during the time of such deprivation is anything to be set on foot or done among those in the said college by which the punishment inflicted on the same shall lose the name of punishment or be changed in any way into an enjoyment.

12. OF THE VICE-PROVOST AND PRECENTOR AND SACRISTAN AND THEIR OFFICES AND OATHS.

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Furthermore, we lay down, ordain and will, that there shall be in our said Royal College one vice-provost of the number of the said ten perpetual priest fellows, to be elected or nominated to such office by the provost and the same fellows of the same Royal College or the greater part of them each year, who is to fulfil and exercise the functions of the provost when he is absent or otherwise legitimately prevented, and is diligently to assist the same provost in those things which concern the care of the parishioners and the governance of our said college and of the persons of the same and is to perform his (the provost's) functions therein when and as often as it shall be needful. We further will that from the aforesaid fellows one who is suitable to the task shall be elected each year under the form aforesaid to be

precentor of the said collegiate church, whose duty it will be and who will be bound to repeat the chants in singing and otherwise to perform in the choir of the said collegiate church the office of precentor in all and singular things that pertain thereto: and another, faithful and diligent, who is to have in and under his custody the books, chalices, crosses, reliquaries, vestments, lights and other ornaments whatsoever devoted to common and daily use, to whom we will that all and singular these things are to be given, delivered and committed by an indenture to be made between him and the provost, to be preserved well, honestly, securely and faithfully. We will that he be called the sacristan, and he is to have under him, furthermore, for the diligent and safe custody of the foregoing things, one clerk, provident, discreet and industrious and faithful herein, to be deputed by the provost, vice-provost and sacristan, whom we will to be called the clerk of the vestry. It is also provided that the provost shall charge those who elect or nominate the vice-provost in such manner and the precentor and sacristan, before they proceed to such election or nomination, in virtue of the oath they have made to the college, that they are not to elect or nominate anyone to such office of vice-provost or precentor or sacristan unless they believe him to be faithful and discreet for the exercise of such office in the said college, eschewing all perverse affection and partiality whatsoever. And furthermore in all elections

in the said Royal College of whatsoever officers and others to be elected or nominated, we will that the electors of the foregoing be similarly charged.

Moreover we will that ten pounds be paid each year to the vice-provost, five marks to the precentor and 26s. 8d. to the sacristan for the labour and stipend of the same from the goods of the said our Royal College, beyond those which they will otherwise receive in the same.

13. OF THE BURSARS AND THEIR OFFICE

Further, in order that the common goods of our Royal College of Eton be the more securely preserved, discreetly managed and better regulated, we lay down, ordain and will that from the perpetual priest fellows of our said college every year there be elected and deputed by the provost, vice-provost and the same priest fellows or the greater part of the same, two faithful and discreet fellows for exercising the office of bursars in the same Royal College, who are to receive the issues, rents, farms, proceeds of benefices, manors, lands, possessions and rents, the goods and property of our said college, however and from wherever they proceed and belong to the said Royal College, from the hands of the overseers, bailiffs, proctors, farmers, reeves of our said college and of others whosoever, by indentures between the said bursars and those paying such sums, making full mention of the same payments, and are to deposit the

receipts in the treasury of the said Royal College in the common chests and coffers of the same to be kept more securely. From these receipts the said bursars are to keep certain reasonable sums for the commons of the fellows and scholars, chaplains and clerks, and for other useful and necessary small²⁸ daily expenses only and not others, to such uses and not others according to the discretion, disposition, counsel and advice of the provost, vice-provost and fellows aforesaid, and faithfully manage and apply them. We do not intend that the said bursars, or anyone else, shall in any way concern themselves with the residual part of the said receipts, or with the greater affairs of the said Royal College of Eton, or with other payments, outlays and expenses concerning the transaction of such greater affairs, without the consent, discretion, disposition, counsel and advice of the provost, vice-provost and the greater part of the fellows of our aforesaid Royal College. The bursars also are to supervise the provision and necessary purchases of victuals and whatever payments are to be made for the same, and are to dispose thereof as shall seem to them²⁹ expedient for the welfare, utility and honour of our said college and of those dwelling in the same. And in addition to the chests aforesaid they are to have one coffer in

28. minutas in L.O. Not in H. & W.

29. eis in L.O. Not in H. & W.

common, of which they have keys divided between them in which they are to deposit and keep the alternate indentures which they have to make between themselves and others both of all and singular their receipts as well as their deliveries and expenses and the rolls made about the same corresponding to the one and the other of them.

And it is our will that as often as it befalls that one of these bursars is absent for some days outside our college, he shall hand the key of the said coffer that is thus remaining in his custody to the custody of a discreet fellow of the same Royal College, for the necessary causes which in the meanwhile perhaps may arise. Furthermore we will that each of the said bursars shall receive yearly five marks from the common goods of the said our college for the labour and stipend of the same, beyond what he shall otherwise receive in the same Royal College.

14. OF THE SCHOOL MASTER AND USHER
UNDER HIM, AND THEIR OATHS.

Furthermore, we lay down, ordain and will that in our said Royal College there be for perpetual future times a school master, adequately learned in grammar, having the skill of teaching, a master in arts, if such can be conveniently obtained, by no means married, or holding a position in any college, chapel

or church³⁰ with a cure of souls within the space of seven miles from our said college; a man of good report and honest conversation, salaried and also removable, to be constituted or appointed by the provost and fellows of the same Royal College, who is diligently and assiduously to instruct and teach in the knowledge of grammar the scholars of our said college and the boy choristers working at the schools of grammar, as well as others whatsoever from our Kingdom of England who will come for a time to the grammar schools of the said Royal College for the sake of learning grammar, and is diligently to direct them and promptly and carefully to supervise their life and morals, and particularly those of the scholars and choristers of the same our college learning grammar and he is to seize those who are idle in their studies, negligent or otherwise delinquent, without exception of persons or other partiality whatever and duly to punish and chastise them. But he must always be restrained by this caution, that in his chastisement he must in no wise be immoderate. And the names of those scholars who refuse to undergo his chastisement and punishment and of those whom he is not able to chastise, he is without delay to notify to the provost of our said college or in his absence to the vice-provost, in order that they may receive due correction from them or one of them. We further ordain that in the said Royal College,

30. in aliquo collegio capella vel ecclesia; the words collegio capella vel were added in the margin, probably not much later.

there shall be under the school master another teacher, similarly stipendiary and also removable, to be appointed³¹ by the aforesaid provost and fellows, sufficiently learned in grammar, by no means married nor constituted in holy orders,³² a bachelor of arts, if such can be conveniently obtained, a man of good report and honest conversation, who shall diligently assist the aforesaid master when present in the foregoing and in his absence supply his place and act for him in all the foregoing things, whom we will to be called the usher. Furthermore, we forbid the same master and usher in any way to presume to exact, ask for or claim anything from any of the scholars or choristers of the said our Royal College or of others from whencesoever they may come³³ out of our Kingdom of England to the said schools as aforesaid, or from the parents or friends of them or of one of the same on account of their labour in relation to the said scholars, for their expenses past or to come by reason or occasion of such instruction. And to the making and faithfully observing all and singular these things and whatever other things are added to our present statutes, we will that the same master and usher, in so far as these things concern either of them singly,³⁴

31. H. & W. has here pariter, likewise, not in L. O.
32. nec in sacris ordinibus constitutus. These words have a line through them in L. O.
33. accedentium L. O. accidentium H & W.
34. quatenus ipsa ipsorum utrumque ~~regulariter~~ concernunt in L. O. H. & W. has vel between ipsa and ipsorum which seems meaningless.

shall corporally give their oath touching the sacred Gospels on their first admission in the presence of the provost and vice-provost. And lest the scholars of our said college be cheated of their instruction by the want or lack of such a school master, we lay down, ordain and will that the school master for the time being, or the usher underneath him, if they are about to retire from whatever cause, are to forewarn the provost of the same Royal College, the master six months and the usher three months before retirement, if the cause of retirement be then known to them; and similarly the same master or usher are to be forewarned for three months by the same provost if they are found insufficient and unsuitable or from other legitimate and just cause are to be expelled from the same college. In the latter case we will that another master or usher adequately instructed in grammar who shall teach grammar to the scholars of our said college be provided, within three days to be calculated from the time of such retirement, in the manner aforesaid, and there personally be settled. But if the aforesaid school master or usher under him shall die or otherwise for some fortuitous reason has suddenly to retire from our said college or otherwise on account of some irregularity has to be removed therefrom, then we will as aforesaid that another master adequately instructed in grammar or an usher under him be provided as soon as can be. Furthermore we forbid that any fellow of the said college support, protect or defend any

scholar of the same Royal College whatsoever against the aforesaid school master or usher by word or deed from being duly chastised and corrected by the same; or that he shall hinder anyone of the said scholars or choristers from his study or learning, or lead him outside save with special licence of the provost or in his absence the vice-provost or the head master or in his absence the usher aforesaid. In addition we lay down that the master teacher of grammar, or if he is absent or otherwise legitimately prevented, the usher under him, in the nave of the said collegiate church or in the cloister of the same or in another place there fit for the purpose, are every year on the day of the Translation of St. Thomas the Martyr³⁵ to have a disputation in grammar publicly held, in the presence of all boys learning grammar and of others whatsoever coming thither, by an advanced scholar of the said Royal College, to be solemnly answered by another advanced scholar then set to answer it.

15. WHAT COMMONS THE PROVOST, FELLOWS,
CHAPLAINS AND OTHER PERSONS OF THE
SAID ROYAL COLLEGE SHALL HAVE WEEKLY.

Now, since it befalls that by the arbitrament of divine authority there take place from time to time years and periods now of fertility and plenitude and now of sterility and want, in which the victuals of men are now

35. in die translacionis sancti Thome Martyris. A line is drawn through these words in L. O., and Septimo Julii has been written over them (?temp. Henry VIII)

to be bought and sold for a less and now for a greater price, and according to such variety of the times are to be had in greater or less abundance and can be obtained now more dearly and now more easily and copiously, we therefore duly considering such things, and in either of the aforesaid cases wishing to apply a fit remedy, lay down, ordain and will that the commons for victuals of the vice-provost, perpetual fellows and school master of our said college are to be equal; and that according to the variety of the said times and according to the discretion, disposition and ordinance of the provost, vice-provost and bursars of the said Royal College, such commons are to be varied. We Further lay down and also ordain that in years of fertility and plentiful times when there is abundance or plenty of victuals, for the vice-provost and each fellow priest of the said college and the school master aforesaid being personally present, 18d. are to be faithfully paid by the hands of the bursars of the said our college for the time being, from the common goods of our said college, for their commons weekly, at those times to wit when they are personally present there for their full commons. But as often as it shall befall that one or any of the same is present not for the full weekly commons but for particular ones, we will that he shall only be allocated, if he is present only for a single repast, nothing, if for two or more up

to five repasts inclusive, for each priest fellow thus present half the sum of the commons then current in the college for fellows; and we wish the same to be observed as far as pertains to such a rate for the chaplains, usher, clerks and choristers and other servants of the said Royal College. But in years and times of greater dearth, when they shall befall, such commons are to be augmented according to the quality and exigence of the times and the rarity and dearth of victuals aforesaid, and according to the variety of the increase of the price of corn, up to a sum of 20 pence, and, if necessity demand, of 22 pence, from the aforesaid common goods proportionately and in some kind of way. We order and also lay down that as long as and as often as the first sum of 18 pence suffices for their commons weekly, or in any way is able adequately to be sufficient, they are not to exceed the same sum, nor is a greater sum to be paid for such commons for them from the common goods of the said Royal College, nor otherwise to be provided, and for all and every time we lay down, ordain and will that the same be firmly and inviolably observed concerning other several sums for the said commons fixed above. And so when a bushel of corn is commonly being sold for more than two shillings in Eton and the neighbouring markets generally for the space of 24 days and more, then during the period of the aforesaid price we will that the aforesaid commons in respect of the vice-provost, perpetual priest fellows and schoolmaster aforesaid, being present in the said Royal College, under the compulsion of such necessity,

are to be augmented to the sum of 24 pence only and not more. We further lay down that for the provost of our said Royal College commons are to be provided from the common goods of the same³⁶ to twice the sum of those allocated for the commons of the fellows weekly from the goods of our college, so that the same may be served more respectably with victuals as is fitting to his station. But for the chaplains, usher and four gentlemen clerks we will that the weekly commons shall stand at 14 pence both in years of fertility and of dearth, and no more. And for each of the other clerks, and each scholar, chorister or other servant of the said Royal College whatever who is personally present in the same, in times of fertility and of dearth are to be paid 10 pence only for their several weekly commons. But in order that the aforesaid commons both in the times of fertility and of dearth, and the charges of the same, may always and at every time be able to be supported the more commodiously and lavishly for the honour of our said Royal College, we ordain and of our special grace will that all and singular the fruits, rents and issues both from the manor commonly called De le Mote with the pastures called Mildenale, and from the pool and fishery called Mertones Were, and also from all the water which we have bought from our town of Windsor, together with all pastures lying within the precinct of the college, are to be applied each year in perpetuity to the said commons.

36. the words statuentes ulterius quod preposito dicti nostri Regalis Collegii de bonis communibus ejusdem are underlined in L. O.

We further will that the burden of the repair of the said manor De le Mote, and of the pastures called Mildenale aforesaid, is to be supported in perpetuity from the fruits, rents and issues of the same and not from other rents or goods of our said Royal College. And we will that all and singular the aforesaid commons be paid out and also administered not by their³⁷ hands but by the hands of the bursars who shall be for the time. We further will and also ordain that the scholars and choristers of our college at the due and accustomed times are to have their breakfasts from their aforesaid commons. In addition we lay down that beyond the said commons there be served to all and singular the scholars and choristers of our said college continually by the hands of the bursars or the school master or some other administrator to be deputed by the provost for the purpose from the common goods of the same college all and singular the other things which belong to the vesture and bedding of the same and their other necessities so long as they are scholars or choristers in our said college, as long as the total maintenance of all the scholars and choristers aforesaid except and beyond their weekly commons and the allowances of the boys does not anyhow exceed a hundred marks in one year. And we strictly charge the consciences of the said bursars or school master or other such administrator in this business, that with

37. eorum, referring perhaps to the manorial officials

all the industry according to the prudence which God has granted them they shall give all care and diligent labour concerning the provident administering to the said scholars and servants of the needs of the same as they shall see to be most expedient to the honour and utility of the same Royal College. But if they find any of the said scholars or choristers negligent or dishonest in honestly taking care of and decently using such necessities as have been provided for them, they are at once to denounce his name and fault to the school master of the scholars or choristers in order that he may be duly punished by him according to the nature of his fault without delay. And the said bursars, school master or other such administrator at the end of each year, to wit at the time at which the general account of all the household expenses of the said Royal College is made, are to be bound faithfully to make account of and for their administration in the foregoing. Moreover it is our will the accounting bursars or school master or other person making the account shall receive twenty shillings for their labour in this matter from the common goods of our said college. We³⁸ further lay down that three times in each year the accounts and all and singular particulars both of the commons and of all other intrinsic household expenses of the said Royal College are to be audited and viewed by the provost, the vice-provost and three senior

38. From here to the end of this statute a line has been drawn along the left side, and the words non bene are written there, perhaps in a 16th cent. hand, and again on the right side in relation to the last sentence of the statute.

fellows of the same college, so that if they find any defect therein, they may correct and reform the same at once as shall seem best to them for the utility and benefit of the aforesaid college. And if there be² anything residuary from the aforesaid commons at the several quarters aforesaid, the totality thereof without any diminution is to be reserved and also converted to the common use of the said Royal College as the other common goods of the same. And we permit the strangers who come, whoⁱⁿthe provost perhaps has seen fit to invite, at times from necessity at times from courtesy, for the utility, benefit or honour of the said Royal College, to be received in the common hall or in a chamber³⁹ and also to be provided with victuals, for whose expenses with the deliberation, advice and counsel of the provost himself, the vice-provost and the bursars aforesaid, the said college is to make satisfaction over and above all the commons above allocated.

But in the absence of the said provost when any are to be invited for the benefit or honour of the said college, they are to be invited by the vice-provost with the advice of the bursars for the time being and in the said common hall if expedient according to their station they are to be duly provided for. But we do altogether forbid that the provost or vice-provost shall at any time make feasts or

39. vel in camera has been added in the margin in L.O., perhaps by the scribe and not much later. The words appear in the text, rather than as an insertion, in V.P.

call in strangers from outside to the great and heavy expense of the college without the agreement and consent of the bursars or the greater part of the fellows.

16. OF THE MANNER OF SITTING:
HOW THE PROVOST, THE VICE-PROVOST,
FELLOWS, CHAPLAINS, SCHOLARS AND
CHORISTERS ARE TO SIT AT TABLE;
AND THE READING OF THE BIBLE.

Furthermore we lay down, ordain and will that the provost, vice-provost, priest fellows, schoolmaster, chaplains, usher, clerks, scholars, choristers and boy commensals, and all other ministers and servants of the said Royal College, are to dine daily in the common hall, and, when they are to sup, are to sup in the same, unless the said provost by reason of infirmity or for other necessary or reasonable cause decides to dine or sup apart, or unless it may behove the vice-provost or any of the priest fellows, the schoolmaster, usher or any of the chaplains or clerks, for such causes as are to be approved by the aforesaid provost or in his absence by the vice-provost, to dine or sup elsewhere. And when the same provost shall eat in the said hall he shall have with him at table the vice-provost, and another from those sitting down, whomsoever he decides to invite, unless there are in the same college any masters in theology or a master in theology or a doctor in canon law, whom, if such or such a one there present be, we wish the same to be preferred in seating to the other graduates after the vice-provost at the time in which the others are seated

list/

at table and unless on account of the presence of strangers or for other just and reasonable cause it is perchance to be arranged otherwise. After that we wish that the other fellows and the school master sit at the same table without claim of a higher or foremost seat or of any particular place whatever. And at the other tables alongside on both sides of the said hall the chaplains are to sit, and the usher, the four gentlemen clerks and the boy commensals sons of gentlemen, who according to the desires of their friends will keep those commons which at the time will be allocated in the aforesaid Royal College for the chaplains of our aforesaid college. And thereafter at other tables the other scholars and choristers of the said Royal College and the boy commensals as they come, also without claim of a higher or foremost seat or of any particular place whatever and without making a commotion for any of them. And when they are thus partaking in the hall, we will that the rest of the clerical servants of the collegiate church and thirteen youths shall serve with the other servants of our college, who afterwards are to partake in the said hall along with the said servitors and ministers. Those who are seated thus, as aforesaid, are to have one of the said scholars, to be deputed by the schoolmaster, reading⁴⁰ during dinner the Bible, Lives of the Fathers, sayings of the doctors or something from holy scripture, which those who are dining are to hear and diligently attend to in silence. We further will that one of the aforesaid clerks or some other to be

40. legentem in L. O. legendum in H. & W.

appointed by the provost or in his absence the vice-provost if need be, shall have to set down the dishes before the said provost and fellows and those sitting at the tables⁴¹ of the chaplains and the master of the school of grammar is each week to appoint one of the scholars to the change of setting down the dishes similarly before his fellows.

17. OF NOT LINGERING IN HALL AFTER
DINNER AND SUPPER.

Further, since after the refreshing of their bodies by the taking of food and drink men are commonly rendered more liable to the perpetration of scurrility and evil-speaking and, what is worse, detraction, altercation and many other dangerous evils, and then giving less weight than on an empty stomach to such excesses, provoke the minds of the majority of simple persons to quarrels, insults and excesses, we lay down, ordain and will that every day after dinner and, when there is to be supper, after supper, the act of thanks for what has been accepted and received be paid to the highest by the provost, vice-provost, schoolmaster, fellows, chaplains and the usher sitting meanwhile at their table and the poor scholars standing in order before their tables, and at the end of such thanks, an antiphony of the Blessed Mary be chanted by them communally and the psalm De profundis, with the prayer Absolve we beseech thee, o Lord, the soul of thy servant King Henry the Fifth, the soul of thy servant

41. mensas in L.O. Mensam in H. & W.

Katherine his consort, and the souls of thy servants, Kings, queens, bishops, priests, parishioners, our friends and benefactors⁴², as long as we are among mankind, and when we shall have been withdrawn from this light, with the same prayer to be said in this form Absolve we beseech thee, o Lord, the soul of thy servant King Henry the Sixth, our founder, and the souls of thy servants, Kings, queens, bishops etc.⁴³

And at the end he who has been assigned to say the said thanksgiving by the provost or vice-provost or schoolmaster aforesaid is to say this little prayer May the souls of King Henry the Fifth and Katherine his consort and the souls of all the faithful deceased by the mercy of Jesus Christ rest in peace⁴⁴.

But when we have migrated from this light, it is to be said in this form May the soul of King Henry the Sixth, our founder and the souls of all the faithful deceased etc.⁴⁵.

Then without any interval of time, after the loving cup has been served to those who wish to drink and after the potations in the hall at the hour of curfew, the priest-fellows, chaplains, clerks and scholars, unless for any legitimate reason the provost or, in his absence, the vice-provost, shall decide otherwise, are to leave the hall and not be allowed to linger there any longer, except on the principal and greater double feasts, and except when the councils of the house and other important business touching the college have to be immediately dealt with therein, or when in reverence

42, 43, 44 and 45. These prayers, which would presumably have been said in Latin, are here translated into English; but when they occur later, viz. in Statute 30, have been left in Latin.

of God and his Mother or of some saint whatever, in winter time a fire is made in the hall for the fellows and scholars, then the scholars and fellows after the time of dinner or supper may make a seemly tarrying in the hall for the sake of recreation in singing and other honest diversions, and occupy themselves more seriously with poems, the chronicles of Kings and the wonders of this world and other things that are becoming to the clerical state.

18. OF NOT BRINGING IN OUTSIDERS TO
BURDEN THE COLLEGE.

Further, we lay down, ordain and will that none of the scholars or anyone else by introducing parents, brothers, relations or outsiders, known or near, one or several, into our college may for any of the fellows or scholars aforesaid make an impediment, prejudice or danger to the progress of scholars' study or be burdensome and prejudicial or damaging to the society, scholars or fellows from without. If, however, the father, brother, nephew, relation, kindred or friend of any of the fellows chaplains or clerks aforesaid shall visit any one of them, we do not intend by our present statute to forbid the same with the permission and consent of the provost, or in his absence of the vice-provost, to receive the one who comes to him in the hall or in his chamber at his own expense without burden upon the community and the hindrance of others or loss

to the fellows or scholars, and to look after him or feed him as he wishes, for six days only and not more. Furthermore we lay down that no stranger, of whatever state or condition he may be, is to receive hospitality within the said Royal College nor on any condition to spend a night in the same unless first he is a gremial there or in our college of Cambridge or unless he shall come thither on the affairs of the same college or be retained or required for consultation, or unless for the hearing of confessions if he be admitted at the times of indulgences, or when without the embarrassment or scandal of the said Royal College it cannot honourably be avoided; and such a one is to be received by the provost or by his order or licence, or in his absence by the vice-provost, to pass the night there. We further forbid that any other of whatever state, rank or condition he may be shall be received or admitted in our said college to make stay with those within the said Royal College beyond the said six days, or to make or pay for commons with them or anything else for the sake of commons⁴⁶ or making longer stay in our said college. But if anyone of our said college shall admit any stranger to pass the night within our said college against the tenour of our present statute, or shall give cause for such a passing of the night, he shall thereby ~~be~~ deprived and go without his commons,

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46. communarum in L. O. H. & W. has commissarum

at the first time for a week, at the second for a fortnight and at the third time for a month. And if anyone thereafter shall be found culpable in this matter his punishment shall be duly increased according to the discretion and moderation of the provost, and in his absence of the vice-provost and bursars of our said Royal College. We do, however, permit that the sons of noble and worthy persons who are special friends of our said college and also others to be maintained by such noble and worthy persons by the intuition of piety, whom the provost of our said college for the honour and good of the same shall deem acceptable, are to be able to be received up to the number of twenty within the said Royal College to commons and board and to instruction there in grammar and to teaching, without burden on our aforesaid Royal College except in respect of the free teaching of grammar which we wish to be given to them freely as a burden on our said college, as to others coming from elsewhere; in such a way, however, that in these cases there shall not be or result any prejudice, loss or scandal whatever to the provost, priest fellows, chaplains, or clerks, scholars or any of the staff of the same Royal College. We furthermore prohibit that there shall in any way in future within the said Royal College be any meetings or discourses by any outsiders, lay or clerical.

19. THAT THE FELLOWS AND SCHOLARS DO
NOT ABSENT THEMSELVES, OR KEEP
DOGS OR BEAR ARMS OR PRACTISE BASE
OR HARMFUL SPORTS.

Further we lay down, ordain and will that none of the scholars, perpetual fellows, stipendiary chaplains, nor the schoolmaster or usher, is to absent himself from our said college beyond six weeks in any year either continuous or, taken in different periods, discontinuous, upon pain of perpetual expulsion from the same, unless for true and legitimate cause to be approved by the provost and vice-provost of the said Royal College, or in the absence of the provost by the vice-provost and senior priest fellow then present. And no scholar or chorister of the said Royal College without the permission of the provost, or in his absence of the vice-provost and the schoolmaster if he be a chorister learning grammar, or of the provost or vice-provost and the instructor in chant if he be a chorister not learning grammar, is to leave the college or in any way to go into the town of Eton or Windsor except in the presence of the provost, the vice-provost or his instructor aforesaid. But if any one of the fellows, scholars, choristers, chaplains, clerks or other ministers whatsoever of the aforesaid Royal College shall wish from whatever cause to leave the place, he is to obtain permission to leave from the provost if he is present, or, if he is absent, from the vice-provost, and if a scholar or chorister learning grammar as aforesaid, also from the school master. But this we will, enjoin and order,

that those who are going to absent themselves shall always so take and moderate the times of their absences that they shall in no wise absent themselves without urgent and necessary cause to be approved (by) the provost, or in his absence the vice-provost, on the principal or the greater double feasts, whether on any feast of the Blessed Virgin or feast of the Nativity of St. John the Baptist, or of Saints Peter and Paul, the translation of St. Thomas the Martyr,⁴⁷ the translation of St. Edward the Confessor or of the most holy confessor Nicholas, or on the day of Ashes, Palm Sunday, or any of the vigils of Easter or Pentecost. We further lay down that no scholar or priest fellow, chaplain or other minister or servant of our aforesaid college is to keep or have hunting dogs, nets for hunting, ferrets, hawks or falcons, or is to practise hunting, nor are they in any way to have or keep amongst themselves or in the Royal College aforesaid a monkey, bear, fox, stag, hind, doe or badger or any other such unusual or rarely seen beasts of prey which are not beneficial and may be injurious. We also will and lay down that none of the fellows is to pass the night in any place outside the Royal College within a distance of five miles from the same, unless from a necessary, reasonable and genuine cause to be approved by the said provost, or in his absence the vice-provost and bursars if need be. We further forbid all the fellows, chaplains, clerks, scholars and choristers of our Royal College to allow their hair or beards to grow. Nor are they to wear pointed shoes or

47. translacionis sancti Thome martyris erased in L. O.

buttoned⁴⁸ hoods. Nor, unless they are away, are they to carry swords or long knives or other arms. Nor are they to use and frequent taverns, spectacles or other unseemly places, but they are altogether to keep away from such places and from suspicious assemblages. Furthermore we altogether prohibit to the priest fellows, chaplains, clerks, scholars and choristers all kinds of red, green and white hose.

20. WHAT EXPENSES THE AFORESAID
FELLOWS WHO ARE TO BE SENT
ON THE BUSINESS OF THE COLLEGE
ARE TO HAVE.

Further, we lay down, ordain and will that for the priest fellows who are sent out on the business of the said Royal College, proper and necessary expenses from the common goods of the same our college are to be provided and finally allocated as shall be just according to the quality of the affairs to be negotiated, the distance of the place and the time involved in the judgement of the provost or vice-provost and the bursars of the said college. And the fellows themselves who shall be thus sent are to be strictly obliged by the authority of the present statute to rendering before the persons aforesaid a faithful account of such expenses incurred set out by them in true and certain parcels severally, and also to paying all sums of money due to the college which they shall have received in

48. nodulatis in L. D. H. & W. has modulatis.

the meanwhile, within five days after they have returned home, upon pain of the loss of all such expenses. But from those fellows, chaplains, clerks and scholars, and other persons of the same Royal College who are absent with permission on their own affairs, the commons relating to them for the time of such absence are to be subtracted and to remain and be given to the increment and maintenance of our said college, as the other common goods.

21. THAT THERE ARE NOT TO BE DETRACTORS,
CONSPIRATORS, MAINTAINERS⁴⁹ AND
WHISPERERS IN OUR AFORESAID COLLEGE.

Further, because detractors, conspirators, maintainers, and whisperers, by sowing, stirring up, procuring or maintaining discord, envy, wrath, quarrels, disputes or matter of dissension, damnably induce many hurts, scandals and schisms, provoke hatred and altogether drive out charity, we lay down, ordain and will and firmly enjoin the provost and all the fellows and scholars and other persons whatsoever of our Royal College of Eton present and future, and on the bowels of Jesus Christ we also implore and ask, and for the obtaining of felicity both in this present and in eternal life, and by the conjuration of divine judgement, that in and upon all things they have unity and mutual charity among themselves, peace, concord and brotherly love (whereby a certain kind of brotherhood is recognised to exist among fellows), and always keep them in all ways and observe

49. manutenentes. Maintainers in law are those who officiously intermeddle in an action that does not concern them.

them and pant to nourish and foster them and be zealous for their strength; and that all and all manner of scurrilities, words envious, contumelious, brawling, contentious, quarrelsome and hurtful, whisperings, altercations, obscenities, mockeries, and other harmful, tedious, scandalous and opprobrious words whatever, and comparisons of family and family, nobility and nobility or ignobility, and special and distinctive prerogatives, for the malicious stirring up of the fellows, are to cease in the mouths and persons of all and singular altogether everywhere both within the said college and without, in public and in private. But if any one of the priest fellows aforesaid be suspected or otherwise accused in respect of the foregoing things or any of them, and concerning the same or any of them shall by sufficient witnesses before the provost of our said college, with the vice-provost, precentor, bursars and sacristan sitting with him, by his confession made before them or otherwise by the evidence of fact, appear guilty manifestly in the judgement of all or the greater part of them, then by vigour of our present ordinance and statute, of which we will that the publication be made in this case in the place of a legitimate admonition, no other admonition having been previously made or being otherwise required, he is on the first occasion for a fortnight, on a second occasion for a month, and if he shall offend a third time for two months, to forfeit forthwith his commons and all other distributions and receipts which from our said Royal College in the mean time he would

otherwise enjoy; and if the nature of his offence or deed demands it, he is to be punished more severely. But if for a fourth time anyone shall offend in this matter and shall be convicted therein in the manner aforesaid, we lay down, will and ordain that he be forthwith excluded and deprived from our said Royal College perpetually, with no other admonition having been first made, without the remedy of appeal or complaint whatever, no remission or dispensation of the said provost or of any other person whatsoever being in any way valid for him. And further, that the aforesaid things be more strictly avoided, we will that each priest fellow to be received into our said college at his first reception be specially constrained towards the observation of our present statute under the obligation of his oath.

22. OF MAKING CORRECTIONS IN RESPECT OF LIGHTER OFFENCES.

Further, we lay down, ordain and will that if any one of the scholars or choristers of our Royal College of Eton exceeding the fourteenth year of his age, or of the priest fellows, chaplains, clerks or thirteen poor youths of the same shall commit one of the slighter offences or delinquencies of which we may be likely to be convicted, such as a slight disobedience towards the provost or a brief dispute with the vice-provost, the bursars or other fellows, or the schoolmaster or usher, or a slight contention shall be stirred up by him within the said Royal College or without, or if in the collegiate church itself he behaves

irregularly at the singing of the offices or is not dressed in a seemly manner, or in other ways whatsoever shall slightly trespass or offend, so that in no way would grave scandal be caused either for himself or the said Royal College, he is to be sharply reprov'd for his errors by the provost if he be present or, in his absence, by the vice-provost and bursars aforesaid and under pain of the withdrawal of the maintenance which he has hitherto had in the college he is to be strictly warn'd by the same not to presume to attempt any such things whatsoever in the future, and himself being thus none the less an offender, according to the excess and quality of his offence, the provost aforesaid or, in his absence, the vice-provost, is to correct him and punish him for his errors. And this correction and punishment he who is guilty of the offence is to endure patiently without the obstacle of contradiction, appeal and complaint. And in case he shall do these or similar things afterwards he is to be proceeded against ever more strictly according as the contumacy of the offender shall demand.

23. HOW THE PRIEST FELLOWS, SCHOLARS,
CHAPLAINS, CLERKS AND CHORISTERS
AND OTHER PERSONS OF THE SAME ROYAL
COLLEGE ARE TO BE SUCCOURED IN THEIR
INFIRMITIES.

Further, when charity bids and pity calls to offer the assistance of humanity to the weak and infirm, we lay down, ordain and will that each priest fellow of our said

college, if he shall happen to be sick, for the time of his said sickness, provided that it be not perpetual and incurable, shall receive in and from the said college as much as he otherwise would have received if well. But if he be so afflicted with perpetual and contagious sickness that he is altogether rendered incapable of duly carrying out his ministry in the said Royal College, then we will that such a fellow shall live outside the said Royal College altogether in some decent place; if without guile, fraud and evil design he does not have so much in an ecclesiastical benefice, heritage, patrimony or secular fee or perpetual yearly pension⁵⁰, he is to receive actually the sum of ten pounds from the goods of the said our college by the hands of the bursars for all and every his maintenance each year and no more. But if in such benefice, heritage, patrimony or secular fee or pension he shall have some lesser sum coming to him whatsoever and however much, then we will that in proportion to such a sum coming to him the said sum of ten pounds is to be decreased and actually subtracted in his case. But if any one of the chaplains, scholars, clerks or choristers or 13 poor youths aforesaid shall suffer from some ailment for a month and the ailment shall last for that time, he is to receive his commons in and from our college as though he were in health. But if his ailment lasts more than a month and there is not then an evident hope of his soon recovering, and he has not a benefice or income from which he can be maintained nor

50. vel pensione perpetua annuali non habuerit in L. O.
vel pensione perpetua/ decem libras annuatim non
habuerit in H. & W.

friends who are willing and able to help him, then we will that he shall live outside the said Royal College in some decent place, receiving in and from the college for three months then immediately following his commons in money for the same, assigned then as though he had been in health in the same our college, if for so long a time his aforesaid ailment shall last. And we will that all those whose ailment shall last longer, if there is not then hope of their soon recovering, are forthwith to cease to be chaplains, scholars, clerks or choristers, or of the number of 13 poor youths of our said Royal College, and others in their place are to be admitted to the said our college of Eton as soon as may be, lest any number laid down by statute in the said college long remain incomplete. But if those who thus have ceased to be of our Royal College had been of the number of scholars, others in the place of the same are to be admitted certainly within twenty days, that the number of fellows and scholars of our Royal College of Cambridge, when it may chance to be reduced, may always be able to be filled from scholars of our college of Eton aforesaid sufficiently instructed and suitable, according to our ordinances and statutes issued therein. And we altogether will and also ordain that in case any one of the aforesaid persons, of whatever condition he may be, be suffering from a contagious ailment, he is to remain for the time of his sickness in a place outside the said Royal College specially built by us for the sick, unless the provost, or in his absence the vice-provost, shall decide otherwise.

24. FOR WHAT CAUSES THE PROVOST MAY AND SHOULD BE REMOVED FROM THE COLLEGE, AND OF THE MANNER AND FORM OF REMOVING THE SAME, AND HOW THE SAME IS TO BE SUCCOURED WHEN REMOVED FOR HONOURABLE REASONS.

Further, we lay down, ordain and will, that the said provost of our Royal College of Eton through wastage, alienation of lands, tenements, rents, spiritual and temporal possessions or illicit selling or alienation of the goods and property of the same Royal College, grave incontinence, intolerable negligence, voluntary homicide and other legitimate cause whatever rendering the said provost altogether unqualified, also through a chronic contagious sickness by reason of which he cannot without grave scandal further occupy such an office, is to be removed from the aforesaid office, and then before the making of any other process against him, is to be effectually induced and also required to resign his said office willingly and of his own accord by the vice-provost accompanied by the bursars and three other fellows of the said Royal College. And if the same provost of our college of Eton will not resign, of his own accord then the vice-provost, with the consent, assent and under the testimony of all the fellows of the said college, or at least of the greater part of them, having specially sworn upon the touch of the holy gospels, the vice-provost himself being the first to give his written oath, and then receiving a similar oath from all other such fellows, that they do not give such testimony through envy, malice

or hate or love, favour, fear, or through a conspiracy of rivals or by agreement or at the procuring of anyone, nor by prayer, nor induced in any illicit manner whatsoever, but only by zeal for the good, welfare and utility of the said college, and for the better and healthy government and honour of the same, they are to denounce and make known without delay the offences, faults or transgressions of the said provost, or the cause for the removal of the same to the bishop of Lincoln for the time being, or if he is in remote parts to his vicar general in spiritual matters, or, if the see of Lincoln is vacant, to the keeper of the spirituality of the same, by two of the more discreet fellows of the same Royal College, elected for the purpose by the vice-provost and fellows of our said college, with letters sealed with the common seal of the same Royal College, if it may be had without difficulty, otherwise with another authentic seal, and provided with the mark and subscription of a notary public, containing the faults, offences and transgressions, or the cause aforesaid. And the bishop, vicar or keeper of the spirituality aforesaid learning of the offences, faults and transgressions or other such causes summarily and plainly and extra-judicially, if he finds by examinations or sufficient information provided that such denunciations or imputations which should suffice for the removal of the aforesaid provost are true, he is at once to remove the same from his office and from all administration of the same without delay, and he is to order and enjoin the fellows of our said college to proceed to the election of a new provost, according to the

manner and form in our statutes and ordinances above stated, with the stopping herein of appeals and complaints and other remedies of law and fact whatsoever by which such a removal might in any way be able to be impeded. And the former provost thus, as aforesaid, having retired or been removed, provided however that it is not for offences and transgressions that he has retired or been removed, is to dwell outside the college, and if from elsewhere he is not advanced to more than 20 pounds in spiritual and temporal things, 20 pounds yearly at the four principal terms of the year are to be paid to him for his maintenance and all his necessities from the goods of our college each year.⁵¹ But a provost who is advanced beyond the aforesaid sum of 20 pounds from whatever cause he has retired or been removed shall receive nothing whatever from the goods of the college thereafter. And if perchance after dismissal⁵² or such removal he receives anything from the goods of the Royal College aforesaid, or applies to himself or his own use things previously received except those which are allotted to him and his office for his portion, he is to be compelled to the refunding and restitution of the same by his successor by possible ways and means. To the making of such restitution he must also know that he is bound in virtue of the oath made at his appointment.

51. The grammar of this passage, on the text of which L.O. and H. & W. are in agreement, appears to be defective.

52. cessationem, dismissal, in L.O. H. & W. has cessionem, giving up.

25. FOR WHAT REASONABLE AND HONEST
CAUSES THE PERPETUAL PRIEST FELLOWS
MUST FINALLY RETIRE FROM THE SAID
COLLEGE.

Further we lay down, ordain and will that if any one of the priest fellows of the same Royal College enters religion, and remains in the same for a month, although he does not make profession therein, or transfers himself to someone's service, or absents himself from our said college beyond six continuous weeks in any year, or discontinuous on various occasions,⁵³ except on the prosecution of the business of the said Royal College, or from other necessary, true and legitimate cause to be approved by the provost and the greater part of the priest fellows of the Royal College, we decree him by the authority of the present statute forthwith deprived and removed from our said college and its commons and advantages, and thereafter he is not to be held as a fellow. We further lay down that anyone of the priest fellows, wishing from other reasons of his own will finally to retire from our said Royal College, shall forewarn the provost or vice-provost of his retirement six months before his retirement, if he is decided thereon for so long, under the obligation of his oath, in order that there may be due time for the provision of another fit priest in his place. And we lay down, ordain and will that if any of the fellows obtains a patrimony, heritage or perpetual secular fee or perpetual yearly pension to the value in common years of

53. interpellatis vicibus in L.O., interpolatis vicibus in H. & W.

ten pounds, then within the lapse of six months immediately following his obtaining thereof he is forthwith to be deprived from our Royal College without other warning whatever or other process in the matter. But if any of such aforesaid fellows shall acquire an ecclesiastical benefice or perpetual office, with or without cure, we permit him to stay in our said college for one year to be computed continuously from the time of such acquisition and no longer, unless such benefice or office be one in which by the bond of an oath, or some special ordinance by him sworn, he is bound to reside continually, in which case we will that immediately after the obtaining of such benefice or office he be forthwith excluded and deprived from our said Royal College. We will and also ordain that unless after the lapse of a year aforesaid within the same he shall effectively quit the said benefice, also if it be a subject of dispute, he shall be held to be not a fellow forthwith.

We furthermore will that none of the aforesaid fellows ever at any time accept any ecclesiastical benefice, with the cure of souls, which is situated within five miles from our said Royal College, or a prebend or other benefice without cure (unless it be an archdeaconry) which is situated within seven miles from the same, on pain of perjury, and restitution of all and singular his receipts from our aforesaid college for the whole time that he has been a fellow in the same⁵⁴.

54. The last paragraph of this statute was cancelled by the bishops of Winchester and Lincoln by the authority of Letters Patent of 12 July 1455. The cancellation appears at the end of the present vol. as no. 4 of the bishops' Declarations, corrections and reformations. A note in the margin of L. O. refers the reader to the end of the book.

26. FOR WHAT CAUSES SCHOLARS AND
 CHORISTERS ARE TO BE REMOVED
 FROM THE SAID ROYAL COLLEGE.

Further we lay down, ordain and will that if any one of the scholars of the said Royal College exceeding the fourteenth year of his age shall be convicted of a serious theft, manifest perjury, wilful homicide, notorious adultery or incest or violent striking of the provost, the vice-provost, the school master in grammar or the usher under him, or of any priest fellow, clerk, scholar or chorister of the college, causing a grievous wound; or in any way shall be mutilated in his person or shall suffer anything else on account of which he may be rendered altogether incapable of sacred orders, or shall have perpetrated any other offence by which grave loss or scandal may be occasioned to our said college, or if any of them, of whatever age he be, shall make profession in any religious order, or contract marriage, or shall absent himself from the schools of the said Royal College beyond one month in a year continuous or discontinuous from our said college without reasonable cause to be approved by the provost of the same Royal College and the school master in grammar, or when any one of the aforesaid scholars shall have peacefully acquired spiritual or temporal possessions of yearly value of a hundred shillings, then he is to be expelled from our said Royal College and from his commons and benefits by the vigour of our present ordinance and statute, with no other warning issued, is to be perpetually deprived and excluded, without any appeal whatever or other remedy of law or fact.

27. FOR WHAT CRIMES, OFFENCES AND
TRANSGRESSIONS THE PRIEST FELLOWS
ARE TO BE REMOVED UTTERLY AND
EXPELLED FROM THE SAID ROYAL COLLEGE.

Further, we lay down, ordain and will that if any imputation arises against any one of the priests⁵⁵ of our said Royal College in respect of heresy, magic art, simony, manifest perjury, serious theft, wilful homicide, notorious adultery or incest, striking of the provost, a perpetual fellow or chaplain, the master or usher under him or of a scholar of our said college, causing a grievous wound, in a case not permitted by law or upon any of the major crimes or because he is a notorious fornicator or makes, enters upon or procures to be made conventicles, conspiracies, confederations or illicit pacts against the statutes of our said college, or perpetrates any other deed through which grave damage, prejudice or scandal may be generated to our aforesaid Royal College, and he be convicted of the premises or any of them before the provost of our said college in the presence of five other senior priest fellows of our said college, through his own confession or suitable witnesses to be approved by the judgement of the same provost and priest fellows, or through the evidence of fact, then we will that by the vigour of our present ordinance and statute he be expelled from our Royal College and forthwith for ever be deprived from the same, and remission or dispensation of the said provost

55. Presbyterorum, priests, in L. O. ; presbyterorum sociorum, priest fellows, in H. W. W.

or of anyone else whatsoever or appeal or complaint of the convicted man, or any other remedy of the law herein, shall be of no avail to him. And further, in order that the foregoing may be more securely avoided, we will that each priest to be admitted to be a perpetual fellow of our said college be specially constrained at his first reception upon the obligation of his oath to the observation of our present statute and of all and singular the statutes and ordinances of the same our Royal College of Eton.

28. OF THE PORTION OF THE PROVOST,
THE PRIEST FELLOWS AND OTHER
MINISTERS OF THE SAID COLLEGE.

Further, we lay down, ordain and will that the provost of our Royal College of Eton for his labour and office aforesaid, in the name of stipend, except and above 20 pounds which he is to receive each year from the goods of the same our Royal College and in full recompense of all and singular fruits, tythes and oblations and emoluments whatever of the said collegiate church otherwise concerning himself by reason of the charge which he has in the same church, all which proceeds we wish to be applied only to our Royal College and to the common utility thereof, and except for those things allotted to him below, is to receive each year fifty pounds sterling from the common goods of our said college, in equal portions at the four usual terms of the year or as soon as can be done after each

such terms, by the hands of the bursars of the said Royal College faithfully to be paid. And each of the perpetual priest fellows aforesaid shall have at the four terms of the year or approximately, to be paid in a similar manner, ten pounds, the school master 24 marks, the usher under him ten marks, beyond their daily commons and garments and other things which they receive in and from the Royal College aforesaid. Furthermore we ordain that the said Royal College is to be provided with ten or nine adequate horses, together with saddles and other necessary harness for the same according, however, to the discretion of the provost, for the use of the provost and others riding on the business of our said college, which horses we ~~similarly~~ wish to be provided with hay and food from the goods aforesaid. We further will that the said provost shall have three servants of his own, of whom one is to be a gentleman or page, and the other two yeomen, who like other household servants of the said Royal College are to be provided in victuals from the common goods thereof according to their estate and condition, and they are to receive a yearly and sufficient allowance and stipend from the common goods of our college aforesaid, such however that there are not allocated or in any way paid more than 40s. for a gentleman clerk or page or for each yeoman 26s. 8d. And when the provost is engaged outside the town on the business of the said college according to the statutes of the same or otherwise with the advice, counsel and assent of the vice-provost and bursars of the same,

as often as it shall happen, in all his expenses and in those of all others labouring with him in the said business, as well as others invited by him for the utility, benefit and honour of the said Royal College, the said college is to satisfy the same from its common goods. But if he is absent on his own affairs then he is to be supported from his own goods. Furthermore, that the honour of our said Royal College be duly preserved and charity be more amply propagated in the same and by the grace of God be more and more abundant, we lay down, ordain and will that on the several feasts below written,^{to} wit, on the feasts of the Nativity of the Lord, of Saints Stephen, John the Evangelist, the Innocents and St. Thomas the Martyr, archbishop of Canterbury, and the Circumcision of the Lord, the Epiphany of the Lord, the Purification of the Blessed Mary, the Annunciation of the Blessed Mary, Easter, the Ascension of the Lord, Pentecost, Trinity, Corpus Christi, the Nativity of St. John the Baptist, the Apostles Peter and Paul, the Translation of St. Thomas of Canterbury,⁵⁶ Relics, the Assumption of the Blessed Mary and the Nativity of the same, the Translation of St. Edward King and confessor, All Saints, Nicholas, the Conception of the Blessed Mary and the Dedication of the Collegiate church there, in order that the provost, priest fellows, stipendiary chaplains, school master, usher, clerks and scholars on such days may dine more lavishly, beyond

56. Translacionis sancti Thome Cantuariensis in L.O. In H. & W. Cantuariensis is omitted. In V.P. both the references to St. Thomas of Canterbury have been erased, then later replaced.

the daily commons granted to them they are to have 6^ls. 8d. bestowed upon them from the common goods by the hands of the bursars for the time being.

Further and in addition we lay down that the said provost, for the honour of our college and his own, may be able to hold together with the said provostship ecclesiastical benefices canonically appropriated to the same provostship, united and annexed or to be united, appropriated and annexed as well as any other ecclesiastical benefices without cure of souls, prebends or spiritual offices, one or many, provided that they do not require corporal residence in the same or any one of them and are not situated within a distance of seven miles from our said college, for such we in no wise wish him to hold together with the said provostship⁵⁷.

29. OF THE COMMON YEARLY LIVERY
OF GARMENTS.

Further, we lay down, ordain and will that the provost and ten perpetual priest fellows of our Royal College of Eton and ten stipendiary chaplains, the school master of the scholars in grammar, clerks, scholars and choristers and 13 poor youths, towards the feast of the Nativity of the Lord each year in perpetuity are to have from the common goods of the said Royal College a livery, or becoming clothes, of cloth of similar or nearly similar colour, though of unequal quality according to the inequality of status. And the provost is to have for his part twelve

57. A revision of this paragraph was made by the bishops of Winchester and Lincoln by the authority of Letters Patent of 12 July 1455. The revision appears at the end of the present vol. as no. 2 of the bishops' Declarations, corrections and reformations. A note in the margin in L.O. refers the reader to the end of the book.

yards of cloth, each of the fellows and the school master of grammar six yards, and each of the chaplains and the usher five yards, the price of each whole length of cloth containing at least 24 yards, sufficiently soaked, dried and shorn, 4 pounds in all or less. We lay down that the provost according to the seemliness of his state and grade, and the other priest fellows and the other stipendiaries, and the master and usher aforesaid are to have made for themselves seemly long robes. Further we lay down that all the scholars of the said Royal College and the clerks and choristers, as well as the 13 poor youths aforesaid, towards the said feast of the birth of the Lord each year for ever are to be clad from the common goods of the same college with cloth, as aforesaid, of similar or nearly similar colour, though of a different price. There shall however not be any such cloth of white or black russet or greyish or red colour, and so much of such cloth is to be given to each of them as will be able to make becomingly one long gown with a hood; and each piece of cloth to be furnished for the said scholars, clerks, choristers and 13 youths, soaked, dried and shorn is to contain at least 24 yards and not to exceed a price of sixty shillings, and no scholar is in any way to wear this his livery in the year in which he has received it except on Sundays and feast days, or in processions or solemn convocations or otherwise from a reasonable cause to be approved by the provost or vice-provost. We further lay down that none of the scholars, clerks, choristers or 13 youths aforesaid, is

in any way to make use of clothes that are striped or variegated or divided in various colours or at all incompatible with the clerical order so long as he shall be in the aforesaid college; but they are to appear in long gowns of a simple and plain form designed according to the gravity and mode approved in clerical habit. And the said scholars and choristers are to be distinguished in their appearance, unless the provost, or in his absence the vice-provost, for any reasonable cause shall decide otherwise herein.

We further prohibit all and singular the perpetual priest fellows and the stipendiary chaplains and the school master and the usher under him for the time being from selling the gowns of their liveries of the said college within a year from the time of the receipt of the livery, or pledging or giving or laying them down outside the college aforesaid or alienating them by any other title of alienation or yielding them up. Also we prohibit the scholars of our said Royal College from selling their aforesaid livery within three years to be computed from the time of the receipt of the same, or pledging or giving or laying it down outside the said college or alienating it by any other title of alienation or yielding it up.

30. OF THE PRAYERS AND ORISONS AND
OTHER INTERCESSIONS TO BE SAID
DAILY BY THE PROVOST AND PERPETUAL
PRIEST FELLOWS AND CHAPLAINS,
CLERKS, SCHOLARS AND CHORISTERS.

Further we lay down, ordain and will that the provost of our said college of Eton and the perpetual priest fellows, chaplains, clerks, scholars and choristers of the same, all and singular of them who for the time being shall be in the same Royal College, each day when they rise from bed, or at other hours of the day or night if at the said times they are prevented by any just and honest cause, in honour of the most holy and undivided Trinity are to say that antiphon of the Trinity, Libera nos etc., with the versicle, Benedicamus Patrem et Filium, with the customary prayer of the Trinity, to wit, Omnipotens sempiterne Deus qui dedisti famulis tuis; and as long as we shall be in this life, with the prayer, conjoined which follows, Quesumus omnipotens Deus ut famulus tuus Henricus sextus, rex et fundator noster, qui in tua miseratione, but when we have been withdrawn from this light, with that prayer added, Absolve quesumus Domine anima^m famuli tui regis Henrici sexti, fundatoris nostri, et animas famulorum tuorum regum, reginarum, pontificum, sacerdotum, parentum etc. And each of them is to say each day at what hour he pleases, for our good state while we shall be amongst humans, that psalm, Domine in virtute tua laetabitur rex, and afterwards they are to say in place of the versicle, Domine saluum fac

regem etc., Domine exaudi orationem meam, along with the prayer, Quesumus omnipotens Deus ut famulus tuus Henricus sextus, rex et fundator noster, as above. But when we shall have migrated from this light, they are to say for our soul and the souls of our father and mother of famous memory that psalm, De profundis, with Kyrieleyson, Pater noster, and Ave Maria, and the customary versicles, and the prayer added, Absolve quesumus, to be said as aforesaid. Further we will and ordain that on all and singular days of the year in the Collegiate church there, after High Mass and the Ninth Hour of the day and the Hour of Compline, there is to be said in the choir by all who then shall have to be present there at divine service, standing together before they leave the choir, the aforesaid psalm, De profundis etc., with the Lord's Prayer and the Angelic Salutation⁵⁸, as well as the prayer, Absolve quesumus Domine animas famuli tui regis Henrici quinti et famule tue Katherine consortis sue et animas famulorum (tuorum)⁵⁹ regum, reginarum, pontificum etc., as above, as long as we shall be amongst humans, and when we shall have migrated from this light, it is to be said as follows, Absolve quesumus Domine animam famuli tue regis Henrici sexti fundatoris nostri et animas famulorum tuorum regum, reginarum, pontificum etc. as above.

58. The Angelic Salutation, i. e. Ave Maria, Hail Mary.

59. tuorum, in H. & W., is not in L. O.

And when these have been thus said and finished, he who is then present taking the service is to say publicly in a loud voice, Anime regis Henrici quinti et Katherine consortis sue et anime omnium fidelium defunctorum in pace requiescant, as long as we shall be amongst humans, and after our death the same person is to say publicly as follows, Anima regis Henrici sexti fundatoris nostri et anime omnium fidelium defunctorum in pace requiescant.

Similarly we will that the aforesaid psalm with the aforesaid prayers be said after dinner and also after supper in the hall after grace has been completed every day in perpetuity. We further will that all the aforesaid choristers present in the aforesaid college before Matins of the ^{day} or after Matins and Prime of the day are sung or said each day, except on Good Friday, being alternately divided on either side of the choir, wearing their suplices, are to say without note distinctly and in a clear voice Matins and the other Hours of the Blessed Virgin, according to the use and ordinal of the church of Sarum. And the scholars of the same Royal College similarly in the morning, as soon as they have risen, while making their beds, are similarly to say the Matins of the Blessed Virgin according to the Sarum ordinal, which they are thus to complete in order that they may go into school before the last ringing of bells for Matins is finished or immediately after. And there immediately before they apply themselves to any scholastic tasks, the usher along with them alternately is to say that psalm,

Deus misereatur nostri, with Kyrieleyson, Pater noster,
Ave Maria, together with the versicles, Et ne nos, etc.
 and Veniat super nos misericordia tua Domine, etc. and
Respice in servos tuos et in opera tua, etc., and Sit
splendor Domini Dei nostri super nos, with the prayers,
Omnipotens sempiterne Deus dirige actus nostros, etc.,
Actiones nostras quesumus Domine aspirando preveni,
 etc. And afterwards when the bell shall be rung at the 91
 elevation of the body of Christ and at the time of High
 Mass, we will that the scholars of the college and the
 choristers of our aforesaid school shall go into the church
 and there kneeling devoutly adore the body of Christ, saying
 the versicle, Adoremus te Christe et benedicimus tibi,
 together with the prayers, Domine Jhesu Christe fili Dei
vivi, etc. and the prayer, Quesumus omnipotens Deus ut
famulus
tuus Henricus sextus rex et fundator noster, etc. as above,
 while we shall be amongst humans, but when we have been
 withdrawn from this light, in place of the aforesaid prayer,
Quesumus omnipotens Deus, they are to say the collect,
Absolve quesumus Domine animam famuli tui regis Henrici
sexti fundatoris nostri et animas famulorum tuorum regum,
reginarum, pontificum, sacerdotum, parentum, etc.
 And we will furthermore that at the Hour of Vespers the
 choristers aforesaid shall similarly go into the choir of
 the church at the first ringing of bells for Vespers, or
 immediately afterwards, wearing their surplices, and
 say alternately between them and without note distinctly
 and in a clear voice Vespers and Compline of the Blessed
 Virgin, which they are also to finish before the Vespers

of the day are begun. And the scholars aforesaid, when each day they finally leave the schools, are to sing solemnly between them an antiphon of the Blessed Virgin, with the versicle, Ave Maria gratia, etc., and the prayer, Meritibus et precibus, etc.⁶⁰ or In omni tribulatione, etc. or Famulorum tuorum, etc.: after which they are to say without note for the souls of all the faithful deceased the psalm, De Profundis, with Kyrieleyson, Pater noster and Ave Maria and the customary versicles along with the prayer, Absolve quesumus Domine, etc., as in our life, and after our death in the form as specified above. And afterwards before they go into the hall to their supper, or at another suitable hour according to the discretion of the provost, the vice-provost or the school master, they are to say Vespers of the Blessed Virgin according to the Sarum ordinal. Furthermore we will and also ordain that each day in the evening at a suitable time which the provost or in his absence the vice-provost shall consider most convenient, all and singular the 16 choristers of our Royal College if they are present two by two, wearing their surplices (and in the place of absentees we will that their places be taken by some of the scholars, so that there are thus always sixteen in number two by two wearing surplices), in an orderly and devout manner are to go into the church, accompanied by the master of the choristers; and after the bell has been specially rung,

60. precibus, etc., in L.O. In H. & W. etc., is absent

except at the Lord's Supper⁶¹ and Good Friday on which the bell must not be rung, thereafter they have knelt before the image of the crucifix and said Pater noster, they are to rise and chant before the image of the Blessed Virgin in the time of Lent (in which time we will that together with the same all the scholars of our Royal College, at least on days which are the eves of festivals, are to be present wearing surplices) the antiphon, Salve Regina, with its versicles. But at other times than Lent and also on feast days in Lent, the 16 boys aforesaid are similarly to sing one other antiphon of the same Blessed Mary in the best manner that they can, with the versicle, Ave Maria etc., and the prayer, Meritis et precibus, etc., and immediately kneeling they are to add Kyrieleyson, Christeleyson, Kyrieleyson, with Pater noster and Ave Maria, and afterwards for our good state while we live, and that of other benefactors of our Royal College aforesaid, one of them is to say with a note, Et ne nos, etc., Domine salvum fac regem, Salvos fac servos tuos et ancillas, etc., Mitte eis Domine auxilium de Sancto, etc., Esto eis Domine turris fortitudinis, etc., Nihil proficiat inimicus in eis, etc., Domine exaudi, with the prayer, Quesumus omnipotens Deus ut famulus tuus, etc., which we wish to be said with the expression of our name aforesaid, together with the prayer, Deus qui charitatis dona, on behalf of the benefactors of our said college. But after our death we will that they will similarly make the same intercessions for the good state of the King of

61. Cena Domini, the Lord's Supper, Maundy Thursday.

England for the time being and for the welfare of other benefactors aforesaid of the same Royal College without expression of our name aforesaid. For we hope that the Kings of England, our heirs and successors, as they alone will be the founders and patrons of the same our Royal College, will thus always be gracious and special protectors of the same, and that the more because they will see themselves particularly recommended therein daily with devout prayers. Afterwards, rising, they are to say without a note alternately, being divided equally and standing, that psalm on behalf of the faithful deceased, De profundis, which always we wish to be said in the form above specified. Subsequently at the end of each day we will and also ordain, that all and singular the scholars and choristers aforesaid, before they go to their beds immediately on the first ringing of the bell at curfew, all who are placed in one chamber, kneeling by their beds, ~~æ~~ to say alternately the whole hymn, Salvator mundi Domine, with the versicle, Custodi nos Domine, and the psalm, Nunc Dimittis, etc., together with the antiphon, Salva nos Domine vigilantes, etc., with Kyrieleyson, Pater noster, Ave Maria and Credo. And thereafter all shall say with an open and intelligible voice the antiphon, Stella coeli extirpant, with the customary versicle and prayer, and thereafter the aforesaid psalm, De profundis, with the versicle and prayer, Absolve quesumus, as above. And finally he among them who is taking the service is to say, after our death, Anima regis Henrici sexti fundatoris nostri

et anime omnium fidelium defunctorum, etc. And this hymn, psalm, antiphon, versicles and prayer we also will to be said before they go to bed by all the fellows, chaplains, clerks and 13 poor youths every day. We further will that if any one of the aforesaid on any day by chance may happen through various occupations to omit the aforesaid prayers, on another day following he may be able to supply and thus fill up what was omitted, notwithstanding our aforesaid ordinances and statutes; on all which things we strictly charge the consciences of all and singular of them before the All Highest.

31. OF THE MANNER OF SAYING MASSES,
MATINS AND OTHER CANONICAL HOURS
IN THE COLLEGIATE CHURCH, AND OF
THE ORDER OF STANDING IN THE CHOIR
OF THE CHURCH AFORESAID.

Further, we lay down, ordain and will that on every day of the year Vespers, Matins, Masses and other canonical Hours of the day are to be devoutly celebrated in the collegiate church of our said Royal College of Eton with chanting by the chaplains, clerks and choristers specially deputed thereto, according to the use and custom of the cathedral church of Sarum and the distinction and ordinance specified below. And that every day in the morning between the fourth and fifth hour or thereabouts, they are to ring the bell for Matins unless, at the discretion of the provost or vice-provost it is to be rung earlier or later because of a feast day or for some other

reasonable cause. We further lay down that also on all solemn and festive days that befall in the year, at the first and second Vespers, Matins, Masses, Processions and other canonical Hours of the day, as well as in High Masses on Ash Wednesday and in Matins and Mass on All Soul's Day⁶², as well as in Matins, Vespers and the other Hours which are to be said with a note or also without a note, on Maundy Thursday, Good Friday and the vigil of Easter, and also in Mass on the vigil of Pentecost, as well as in the Processions which on the said vigils and on the three days of Rogations, and similarly in the Masses which on the said Rogation days after the end of the Procession, are to be celebrated with a note there at the highest altar, the provost of our same college unless he be absent from legitimate and reasonable cause, the vice-provost, the priest fellows, the school master, the usher the scholars and 13 poor youths and as many of boy commons as the said provost or in his absence the vice-provost shall think suitable, are to be personally present in the same collegiate church, unless prevented by a legitimate impediment to be approved by the provost if he be present or the vice-provost if the provost be absent. And the said provost on the right side of the choir and the vice-provost on the left are to occupy the chief stalls, and after them, not in the chief stalls but in those on either side, the fellows masters in theology, then the doctors in canon law if there be any, and the bachelors in sacred

62. Commemorationis animarum, All Souls' Day.
H. & W. has commemorationis annuarum.

theology, and then the school master and other fellows masters in arts, and thereafter the stipendiary chaplains, usher, and clerks, and then the more advanced scholars first and thereafter the other scholars, choristers and others named above, are to occupy the stalls in the choir of the said collegiate church according to the order which the said provost, or in his absence the vice-provost, shall decide to allocate. And the same provost with a surplice and an almuce of grey, and the vice-provost and other priest fellows and school master, with decent surplices and hoods lined with miniver⁶³, or according to the exigence of the time lined with sindon or tartarin, and⁶⁴ the chaplains with their surplices similarly and their own almuces of black coloured cloth edged or lined with calaber or grey fur or lined with tartarin⁶⁴, the clerks, usher, scholars, choristers and 13 youths and boy commensals, as aforesaid, wearing decent surplices, are in their own persons alternately to say, read and also sing the said Vespers, Matins, Masses and other canonical Hours of those days as aforesaid, and at the Vespers, Matins, Masses and Processions solemnly to be celebrated with song and note, they are distinctly to read, devoutly to say and to sing all and singular the things necessary to be sung and read, and they are in all to perform humbly and devoutly all and singular the things there as they have been entitled or assigned thereto by the precentor or in

63. capuciis de minuto vario foderatis, in L.O.

H. & W. reads munito.

64-64. There is an erasure line through this passage in L.O.

his absence the succentor of the same Royal College or by the masters of the choir, reading, singing psalms and performing other services. One of the p̄rest fellows of the aforesaid Royal College is to be deputed and assigned thereto by the aforesaid precentor in order and succession for individual weeks, who will celebrate High Masses by himself or another fellow and duly perform all divine offices on Sundays in his week, as fitting, and for that week we wish him to be called the fellow of the week (ebdomadarius). But the scholars, clerks and choristers aforesaid from the vigil of Easter to the feast of All Saints are on no account to use hoods in the choir. We further will that if any of the aforesaid fellows, stipendiary chaplains or clerks presumes to be absent from divine services in the aforesaid collegiate church to be celebrated by them, as aforesaid, without reasonable cause to be approved by the provost or in his absence the vice-provost, for each occasion of such absence on his part from Matins, Masses or Vespers, two pence are to be withdrawn, and from the offices of Prime, Tierce, Sext, Nones or Compline, for each of these Hours, one penny is to be withdrawn from the stipend of the p̄rest fellow, chaplain or clerk thus absent, to be applied to the commons of the fellows beyond their weekly commons. And we will that scholars, choristers, boy commensals and the 13 poor youths, if found culpable in the aforesaid matters or any of them, be coerced and punished at the discretion of the provost, vice-provost or school master. It is our will nonetheless that if any of the

aforesaid priests, or chaplains, or clerks shall often be culpable in the foregoing matters, such penalty against the same is to be duly aggravated by the aforesaid provost as the insolence of the offender shall exact. We further will that all fellows on week days two by two or singly are to say Matins and Vespers of the day in the nave of our collegiate church, any legitimate impediment preventing this to be approved before or after, by the provost or in his absence the vice-provost. We further lay down, ordain and will that on the feast of the Nativity of the Lord, the Circumcision and Epiphany, Easter, Ascension, Pentecost, Trinity, Corpus Christi, Relics, the ~~five~~ feasts of St. Mary the Virgin, and the Dedication of the Church, and generally in all the principal and greater double feasts, as well as on the feasts of All Saints, the Translation of St. Edward King and confessor, and on the feast of the most holy confessor Nicholas, which feast must always be celebrated in the said Royal College in the manner of a greater double feast, the provost or, if he is prevented from a just, urgent and great cause, the vice-provost, if he is present and disposed thereto, unless one of the more principal and worthy persons of our said college be allocated by the provost or vice-provost thereto, at the first and second Vespers, Matins, High Masses and other Hours of the day, as well moreover as in Masses on Ash Wednesday, Palm Sunday, and Masses and other Hours on Maundy Thursday, on Good Friday and the vigil

of Easter, as well as in Masses on the vigil of Pentecost and on All Souls' Day and furthermore⁶⁵ in processions which according to the Sarum use must be made on some of the said days, is devoutly and solemnly to perform the said office according to the form of the Ordinal of the cathedral church of Sarum; except on the feast of St. Nicholas on which, and by no means on the feast of the Holy Innocents, we permit the divine offices to be performed and said except the secret parts of the Mass, by the bishop of the boy scholars to be elected thereto from the same each year; **one** of the fellows being assigned to the gospel and one of the chaplains or usher, as often as the said provost shall thus celebrate, to the epistle. On other double feasts, and other feast days of saints, we similarly will that the vice-provost, or if he from great and urgent cause is legitimately prevented, one of the more principal persons aforesaid is to be similarly assigned and is devoutly to perform such divine office. But at the remaining feasts to be celebrated with or without the ritual of the choir, and on other week days (ferialibus) throughout the whole year the stipendiary chaplains aforesaid are with due devotion to say celebrate and sing Vespers, Matins, Processions and other canonical Hours, except that one of the fellows, as aforesaid, on the days aforesaid shall always celebrate High Masses with chant and note according to the use of the church of Sarum

65. H. & W. has insuper quae in processionibus quat^c, which can hardly be right. L.O. has after insuper a 'q' with an abbreviation mark over it. Quod, dependent on statuimus, would make sense.

with clerks and choristers of the said collegiate church specially deputed thereto. We also will that in addition to the canonical Hours these chaplains shall say the Placebo and Dirige, with the Commendations for the deceased, according to the use of the church of Sarum, on the feasts without the ritual of the choir and on week days (ferialibus) throughout the whole year. Moreover we none the less specially will that on the feasts of the four Doctors of the church,⁶⁶ St. Augustine apostle of the English, the Conception of the Blessed Virgin Mary, Saints Matthias and Mark, also on other such double feasts when they are deferred to other days, the vice-provost or⁶⁷ if he is prevented one of the more principal and senior fellows on those⁶⁸ days to which they are thus deferred, is to celebrate High Mass and solemnly to perform the other divine offices with note. On these days we further will that all fellows with chaplains, clerks and choristers and as many of the scholars of our Royal College as the provost, or in his absence the vice-provost, shall think suitable are to be personally present in the church while the divine offices are being sung in the choir in their surplices. And whenever the feast of the Annunciation is thus deferred, we will that the provost in his own person shall celebrate Mass and similarly shall perform the other divine offices with note on the day to which it is deferred, nor is he for

66. The four Doctors, Saints Gregory, Augustine, Jerome and Ambrose.

67. aāt in L.O. atque in H. & W.

68. illis in L.O. aliis in H. & W.

any reason⁶⁹ then to absent himself on any account except for the greatest and most urgent cause. On that day furthermore we will that in addition to the fellows, clerks, chaplains and choristers aforesaid, the school master, usher, all the scholars, 13 youths and at the discretion of the provost the boy commensals are to be personally present wearing surplices; provided always that such divine offices are in no way to be chanted by any others than members of the said Royal College, or those living therein, in the said collegiate church ever at any time by whatsoever authority, command or order, even if it be of royal or episcopal dignity. We allow, however, that excellent and honourable persons, such as archbishops, bishops or other regular prelates, to wit the prior of Christ's Church Canterbury, the abbots of Westminster, St. Alban's, Peterborough, St. Edmund's, and St. Augustine's Canterbury, as well as beneficed persons, who formerly had been fellows or scholars of the said Royal College, or of the Royal College of the Blessed Mary and St. Nicholas of Cambridge, may be able to perform High Mass at the great altar and all other divine offices, as well as to eat in the hall for the recreation of the fellows and other persons of our Royal College aforesaid. We also lay down, ordain and will that on every day in perpetuity, except Good Friday, seven Masses from henceforth are to be devoutly celebrated in the collegiate

69. L.O. reads nec aliqua nisi ex maxima et urgentissima causa tunc se absentet quoquomodo. In H. & W. aliqua has become aliquis. If the present translation is allowed the provost becomes the subject of absentet which is surely what the sense demands.

church aforesaid. Of these there will be one Mass of St. Mary to be celebrated after the said first Hour of the day, according to the use of the church of Sarum and the exigency of the time of year, with the prayers under-mentioned, to wit, first of St. Mary, followed by the prayer, Quesumus omnipotens Deus ut famulus tuus Henricus sextus rex et fundator noster, so long as we shall be shall be amongst humans, the second for the state of the universal church, the third for peace, and the fourth for the souls of king Henry the fifth, of famous memory, our father, and the lady Katherine, late queen of England, his consort and our mother, to wit, Inclina Domine etc., ut animas famuli tui Henrici quinti et famule tue Katherine consortis sue etc., and the fifth for the souls of all the faithful deceased, with the prayer, Fidelium Deus. But when we shall be withdrawn from this light in place of the prayer, Quesumus omnipotens Deus, the prayer is to be added, Deus cui proprium est misereri semper et parcere propitiare anime famuli tui Henrici sexti fundatoris nostri, the second prayer shall be for the good state of the then King of England, to wit, Quesumus omnipotens Deus, in the common form, the third for the state of the universal church, the fourth for peace, the fifth for the souls of our father and mother and all the faithful deceased, to wit, Inclina Domine, in the common form similarly then to be said. The second Mass shall be for our healthy state, to wit, Protector noster aspice Deus, so long as we shall be amongst humans, and after our death it shall be of Requiem for our soul, and those of our parents and of all

benefactors of the said Royal College, with the prayers, Deus cui proprium est misereri etc., propitiare anime famuli tui Henrici sexti (to be said specifying our said name) regis et fundatoris, ac animabus omnium fidelium etc., Inclina Domine and Fidelium Deus, to be said in the common form.

The third Mass will be of the day, to wit, a High Mass according to the exigency of the time with prayers according to the ordinal and use of the church of Sarum. But on those days when there is a full service of St. Mary, there will then be first the Mass of Salus populi, or Pro pace, or De cruce, or another Mass of the saint belonging to such days, according to the disposition of the provost or viceprovost aforesaid, with this to be observed that when the Mass De pace is said then the fourth prayer shall be, Deus qui charitatis dona, with the other prayers aforesaid.

We will that all these three Masses be celebrated at the highest altar of the said collegiate church by note and with chanting, except at the feast of Christmas on which the aforesaid first and second Mass, and on the feast of the Assumption of the Blessed Virgin Mary on which the aforesaid first Mass, and on the vigils of Easter and Pentecost on which the said second Mass, are not to be chanted at the highest altar aforesaid but ~~without~~ ⁷⁰ note we will the same Masses to be said at some lesser altar on such excepted days. And the fourth Mass is to be celebrated ⁷⁰ at one of the lesser altars on Sundays De Trinitate, on Monday

70. quarta Missa..celebranda correct, as in H. & W. L.O. has celebrandum.

De Angelis, on Tuesday De Sancto Thoma Martyre, on Wednesday De Sancto Spiritu, on Thursday De Corpore Christi, on Friday De Cruce, and on Saturday, De hoc nomine Jesu, which according to the form described in relation thereto in certain of our books we wish to be inscribed and had in all the missals of our aforesaid Royal College for this reason. In this fourth Mass, as in all other Masses except when it is said of Requiem, we will that immediately after the prayer of the Mass there is always to be said with one ⁷¹ Per dominum, the prayer for our good state, Quesumus omnipotens Deus, so long as we shall be amongst humans, but when we are withdrawn from this light, there shall be said in place of the prayer, Quesumus omnipotens Deus, even when it is being celebrated of Requiem, the prayer, Deus cui proprium est, with the specification of our name afovesaid. And the fifth Mass on these days throughout the whole year in which according to the use of the cathedral church of Sarum some Mass has to be said in the chapter, will be the Chapter Mass. But on other days, if and when the plague is raging there or in the neighbourhood, there will be a Plague Mass, but otherwise it will be for the discretion of him who says the same. And the sixth Mass will be De Annunciacione Beate Virgins, and the seventh will be for the discretion of him who says the same. And in these last four Masses aforesaid the celebrants are to say after the collect such other prayers as they shall think for

71. sub uno in L.O. and H. & W. The scribe of V.P. could apparently make no sense of this and wrote cum uno, but this at a later date was changed to sub uno. The first reading of V.P. has here been translated.

their devotion the better and more necessary to be then said. Of these seven Masses the five former ones we will to be celebrated by the stipendiary chaplains aforesaid allocated between themselves in turn successively, except for the Great of High Mass which, as we have laid down above, we always wish to be celebrated by the provost, the vice-provost, some worthy person from outside or one of the perpetual fellows of our said college; by which perpetual fellows allocated similarly between themselves in turn successively we will that the last two Masses aforesaid be celebrated each day at lesser altars. We further will that at the time of the aforesaid High Mass also on all week days (feria^tis) two of the aforesaid fellows, wearing their habits, are to be present in the choir, and that on the days on which, as aforesaid, we have laid down above that the two former Masses aforesaid are to be celebrated by note, all the clerks and the scholars and the choristers are to be present similarly wearing their surplices, who for such days will be obliged to be present in the choir at other divine offices. And if - and may it not occur - on account of the infirmity of priest fellows, or of the stipendiary chaplains aforesaid or any other reason claiming⁷² just cause of excuse herein, the aforesaid seven Masses are not able to be said and celebrated by the same fellows and chaplains as aforesaid, then we will that to the saying and performing of such Masses other chaplains at such times be assumed and proved⁷² at the charge and expense of all the

72. asserentem in L.O. In H. & W. afferentem.

priest fellows and chaplains in common, except for their food and drink which the chaplains thus assumed shall have with the other fellows in the common hall from the common goods of our Royal College aforesaid; so that at no time ever will any of the seven Masses allotted by us above be missed. We furthermore lay down and ordain that the provost, vice-provost, school master, if he be ordained a priest, and the other priest fellows and all and singular the chaplains^{not} celebrating the said seven Masses (whom we intend to celebrate at least every week barring legitimate impediment) in every Mass of theirs, like the other fellows and chaplains celebrating the said Masses, are to say for us while we are alive the collect, Quesumus omnipotens Deus, and for⁷³ our soul when we shall have withdrawn from this light, the collect, Deus cui proprium est misereri, etc., which we will always to be thus said with the pronouncing of our name, as aforesaid. And none the less we will that all and singular those, as well as other extraneous priests whatsoever there celebrating, whom we wish to be admitted generally and without distinction to celebrate therein their Masses without any contradiction whatever, whoever they may be provided they have the authority of their order, in their several Masses which they are to celebrate as aforesaid, are to keep and have in perpetuity in thier memory within the canon of such masses a special remembrance for our welfare while we are in this life among the living, and for our soul when we are among the dead, and for the souls of our parents and of all benefactors of the said Royal College whose names

73. ac pro anima nostra in H. & W. ac anima nostra in L. O.

we have had recited and inscribed on a tablet. In addition to this we further lay down that the said provost, vice-provost and fellows for the time being, when we shall be withdrawn from this light by God's will, as soon as they first know of our death, and thereafter every year for perpetual future times on the day⁷⁴ of our death, if then without impediment it can conveniently be done, and if not on the next following day on which such impediment does not occur, are to say in common for our soul specially and solemnly and with due devotion in the said church the Exequies mortuorum and on the morrow the Commendationes animarum and afterwards are to have the Mass of Requiem celebrated with the prayers and collects following, to wit, Deus cui proprium est, etc. with the pronouncement of our name aforesaid, Deus cui soli competit, for the souls of our father and mother of famous memory, together with the prayers, Miserere quesumus Domine, for the souls of all our deceased benefactors, Inclina Domine, and Fidelium Deus, solemnly and with due devotion, and which the provost is to celebrate if he is not prevented by some just impediment in which case the vice-provost shall celebrate and if he is prevented one of the more worthy priest fellows appointed thereto by the provost, or, if he is prevented, by the vice-provost.

Moreover the provost and others are bound and obliged to be personally present at the foregoing Exequies, Commendations and ^{Mass} unless by legitimate impediment, the

74. die in H. & W. diem in L. O.

said provost upon pain of ten marks, the school master and all and singular the fellows of a hundred shillings, the chaplains, usher and several clerks of forty shillings and the scholars and choristers and thirteen poor youths present in the said Royal College, upon a pain to be imposed on each of them thus absent at the discretion of the provost. Also we will them to observe the foregoing four times a year for our soul in the collegiate church there in addition to the anniversary day of our death, to wit at the end of each quarter of the year for perpetual future times on any day on which⁷⁵ it shall be most convenient for it to be done. And in order that the memory of our soul may be held the more specially and devotedly among the same provost, priest fellows, school master, usher, chaplains, clerks and choristers and others, and be herewith the more strongly loved, we lay down, ordain and will that from the goods of the said our Royal College by the hands of the bursars of the same each year there shall be paid to the aforesaid provost being personally present on the day of our death at the said Exequies, Commendations and Mass, 3s. 4d; to the vice provost thus similarly present on the said day of our death⁷⁶ and celebrating at the highest altar or another altar whatever, 2s; and to each other fellow

75. quo in L.O. quod in H. & W.

76. This passage is added in the margin of L.O., perhaps not much later than the text and apparently supplants another passage that has been erased. Huggett, in his notes to the Sloane MS, refers to this "omission" from L.O. and concludes that there must have been existing some Counterpart of these Statutes, either in a like fair Transcript, or rough Draught. The Question may be, where such Draught or Transcript might afterwards be deposited? Probably among the public records in the Tower of London". No such document appears to have come to light in the Public Record Office.

similarly present on the day of our death⁷⁶ and for our soul and the souls of all the aforesaid celebrating Mass on the morrow with the aforesaid prayer, Deus cui proprium, with the pronouncing of our name aforesaid, and to the schoolmaster, 20d; and to the chaplains similarly then celebrating and to the usher 16d; and to each of the clerks, 12d; and to each scholar and chorister, as aforesaid, then⁷⁷ present, 8d; and to the bell-ringers, 3s. 4d to be divided equally among them. We will also that at the time of these Exequies there shall be three long peals following each other closely so that there shall not in any way be too long a pause between the same; and again, at the time of the Commendation and Mass three other similar peals are to be made solemnly with all the bells; and then each⁷⁸ priest fellow of our said college for the time being on every day of our aforesaid death as well as on any day of each week that he conveniently can, each year in perpetuity is to say privately or in common for our soul and the aforesaid souls the office of the dead with Commendation in the accustomed ecclesiastical manner. Also we will, lay down and order without distinction that from the time of the publication of our present statutes and while we shall continue in this life this office is to be said once each week as aforesaid by all and singular the priest fellows. Furthermore we lay down that each year in perpetuity in a similar manner as on the day of our said death, so on the day of the death of our father Henry the Fifth of most

77. tunc in L.O., not in H. & W.

78. quilibet in L.O., quolibet in H. & W.

famous memory, to wit on the last day of August, as well as on the day of the death of Katherine, of famous memory, his consort, our mother, to wit on the third of January, and also on the day of the death of our dearest consort Margaret when, God willing, she shall be withdrawn from this light, if then it can be conveniently done, otherwise on the next day then following on which no impediment thereto will occur, and each year within twelve days next preceding the feast of Christmas, when it can be conveniently done, for the soul of the reverend father in Christ William bishop of Winchester late provost of our Royal College⁷⁹, when he shall have migrated from this light, and for the souls of all benefactors of the same Royal College, solemn Exequies with Commendations and Mass on the morrow are to be celebrated. In the celebrating of each of these obits and the four commemorations for our soul at the several terms, as laid down above, we will that the said provost, fellows, chaplains, as aforesaid, being present and celebrating Masses, together with the school master, usher, clerks, scholars and choristers, thus similarly, as aforesaid, being present, receive half of those distributions which they being present at our obit, as is aforesaid, are due to receive and have. And the ringers of bells are to receive similar distributions as they will receive in our obit aforesaid. But we do not wish solemn Exequies for parishioners of our said Royal College, to wit^h with note or the ringing of bells, to be

79. William Waynflete, provost of Eton 1443-7, bishop of Winchester 1447-86

made in the same except on days of the death of some notable man or matron of the same, to wit while the body is present for trentals⁸⁰ or if the provost or in his absence the vice-provost shall agree on anniversary days of the same, which anniversary days, however, we do not by any means intend to be extended beyond three years or under the form aforesaid for any one of the parishioners. However, we do not wish to prohibit Exequies and Masses to be said privately by any of the fellows or chaplains on the anniversaries of such parishioners if the provost or in his absence the vice-provost shall agree to the same. Nor do we intend, if any of the fellows or any provost shall wish sufficiently to provide, when he is dead and buried, for Exequies and Masses to be solemnly observed there on the days of his anniversaries in perpetuity or for a certain time, if in the judgement of the provost⁸¹ for the time being such days can be solemnly observed to the honour of our said Royal College, to prohibit the celebrating of Masses and Exequies on their anniversaries with note and the ringing of bells. We furthermore order that in the divine offices aforesaid, the provost aforesaid while he is present in the college church there, is to use an almuce of grey according to the use of the canons of cathedral churches. We also wish him to observe this in the presence of bishops and anywhere else in suitable places and times.

80. Trentals. Set of 30 successive daily masses for the dead.

81. prepositi in L.O. praeposito in H. & W.

32. OF KEEPING SILENCE IN CHURCH
 THAT THOSE WHO ARE CHANTING
 AND READING IN THE SAME MAY
 NOT BE DISTURBED.

Further, since sanctity becomes the house of God and it is becoming that in the peace of which the place is made, with due veneration the worship should be peaceful, we lay down, ordain and will that both the entry into the aforesaid church and similarly the exit of the scholars, priests and clerks and of all the aforesaid shall be humble, modest and devout. And their conversation within the church itself is to be pleasing to God. We expressly forbid all and singular of them, upon pain to be mentioned below, to talk they or any of them in a low voice or otherwise in private at Matins or any Hours by themselves or with several of their fellows or with one, in the choir of the said church, while the holy offices aforesaid are being chanted in the same, to the disturbance of others, nor are they in any way to make murmurings, chatterings, jokings, laughter, conversations or unseemly noises, nor is the devotion of the same or the performance of others chanting in the choir in any way to be disturbed by disorderly hubbub and the various sounds of voices or other mutual talk, nor is any other business there to be carried on but that which pertains to the worship of the divine name so long as the divine praises are due to be carried on in the same church. And he who is guilty or delinquent herein is instantly to be punished according to the discretion of the provost, or in his absence of the vice-provost, in respect of the manner and quality of his offence.

33. THAT THE PROVOST HAS TO
REQUIRE THE AGREEMENT OF
THE FELLOWS IN THE MAJOR
BUSINESS OF OUR COLLEGE.

Further, we lay down, ordain and will that in the greater affairs of our college that have to be dealt with, to wit, in the letting of farms, ecclesiastical benefices and manors, and presentations to benefices, of which they have the advowsons or right of patronage, or in future will have the same, in causes, controversies, pleas, or law-suits concerning the said college to be undertaken or begun, and other similar matters, all and singular the priest fellows of the said Royal College, at the time at which such affairs concerning the welfare of the same our college are about to be dealt with, being present in the said college, at the summons and forewarning of the said provost are to be called together to the church, the hall or other suitable place within the said Royal College to discuss and deliberate together concerning such impending affairs, and what in and upon the foregoing matters shall be collectively or by the provost and the greater part of them decided and agreed is to have firmness and validity. But a decision or disposition in and upon the foregoing had or made in any other way is to be held as of no worth whatever.

34. THAT MANORS, POSSESSIONS,
ADVOWSONS AND PATRONAGE
OF CHURCHES ARE NOT TO
BE ALIENATED.

Further, we lay down, ordain and will that manors, advowsons and the patronage of churches, lands, tenements, rents, services, villeins, the soil or area of a wood or the land on which a wood grows, meadows, pastures, commons or grazings, or other immovable goods whatsoever of the said Royal College, whether they be spiritual or temporal, or also any rights whatever of the same are in no way nor at any time ever to be alienated or sold in fee or for a term of life. Nor are advowsons or the patronage of churches, vicarages or chapels or chantries to be granted in fee or for a term of life or of years, or in any other way for any time however short. Nor are manors to be let or demised beyond 20 years or appropriated churches beyond a term of ten years to farm or in any other way. But we permit that lands, tenements, messuages and holdings whatsoever with their appurtenances which used to be held by tenants, as well in cities and towns as in manors or churches appropriated to them and in other places whatsoever, belonging or pertaining to the aforesaid Royal College in whatever way and which have come into the hands of the aforesaid provost, fellows and scholars, by escheat or by defect of heirs or tenants or in any other manner, will be able to be

granted or let to farm for a term of years through court rolls according to the custom of manors used of old therein or by indentures to be made between the provost and priest fellows themselves on one part and the recipient or recipients of the same on the other part, sealed with the common seal of the said college, provided, however, that such a grant or lease does not in any way exceed fifty or sixty years. And such tenants of the said lands, tenements, messuages and holdings or any part or parcel of the same are not to alienate or grant the term thus granted in them to other persons whatsoever, or in any way whatever to let them, without special licence and consent of the provost and fellows aforesaid. We further lay down that the provost and priest fellows of our said Royal College are in no way to grant yearly pensions or perpetual chantries or any corrodies, nor are they to bind the said college to any spiritual or temporal burdens in perpetuity or for a time, unless they shall have the double in possessions or rents in perpetuity for supporting such a burden and their indemnity and interest therein, to the convenience and utility of our college aforesaid; which furthermore we altogether forbid to be done unless the authority and consent of the bishop of Lincoln for the time being is given thereto, after being specially requested in this matter. Moreover we will and strictly enjoin this and firmly command and order that it is to be observed in perpetuity, that in the making of every donation and

grant of lands, possessions or rents or other goods whatsoever to our said Royal College in future, for the supporting of such burdens by the same college, such lands, rents and tenements are only to be given and always granted in perpetual and pure alms to the same, and no other cause in such donations or grants is to be expressed in any way on account of the various dangers which by the expression of such causes may be likely to result.

35. OF THE SEAL, AND ALL THE CHESTS, AND THE INVENTORY.⁸²

Further, we lay down, ordain and will that the provost and priest fellows have a common seal and common chests or boxes in a room built for the purpose by us over the gate of the said Royal College, in which chests or boxes are to be placed and also kept all registers, copies and transcripts of apostolic bulls⁸³ and royal charters and other donations, muniments and evidences whatever concerning the said Royal College, together with rolls of accounts both of the expenses of the household of our said college, and of its manors and other possessions spiritual and temporal whatsoever, and all and singular sums of money which are required in any way for weekly and daily expenses. And the two bursars appointed for the time being are to have two different keys divided

82. The rubric reads De sigillo et archis omnibus ac inventario. "c" in black ink has been placed in L.O. before omnibus but no abbreviation marks added that would satisfactorily change the word to communibus as in H. & W.

83. vacat has been written twice in the margin, no doubt at the time of the Reformation, in relation to the Papal bulls mentioned in this statute.

between them of the said room and of each of the chests aforesaid. But the common seal is to be continually kept within one of the said chests in a certain small chest locked by three different locks, of which locks the provost, vice-provost and precentor are to have between them different keys, in such a way that nothing may be sealed with that seal unless it is first fully and openly written and in the register of our said college fully registered, and by the provost and greater part of ^{all} the fellows of the said Royal College there has been mature and communal deliberation upon such a writing and the writing has been approved by the same, in whose presence the said common seal, having been removed from the small chest aforesaid to be opened in the great hall of the said college or in the parlour of the provost and not otherwise or elsewhere, is to be appended to the said writing. But other letters whatsoever, bonds or writings of whatever tenour, by whatever name they are called, that have been sealed by the aforesaid common seal in some other manner or place, lack all the force of authenticity. And no less we decree that all and singular who contrary to the prescribed form shall attach the aforesaid common seal to any letter whatsoever, bond, indenture or writing, or blank paper or parchment not written on or membrane not written or not completely written on whatever and who shall really consent to doing so, in addition to the penalty of perjury which we will them forthwith to incur, shall be expelled forthwith from the said Royal College. And none the less they are to remain strictly obliged to make

satisfaction for the damage and injuries brought or to be brought upon the said college on that occasion and they are to be actually bound thereto by the vigour of our present statute. And in another room similarly built by us for the purpose above the said gate we will that in a certain chest or certain chests devoted thereto there are placed and more securely kept all relics, jewels, silver and gold vessels not required for the daily use of the said Royal College or collegiate church, as well as all apostolic bulls in another chest and legal processes that have been undertaken, appropriations of churches, provisions of vicarages, royal charters and those of other lordships, the original book of all our ordinances and statutes sealed with our royal seals, and sealed muniments, and original documents whatsoever concerning in any way the said Royal College. We further will that of all the relics and jewels there preserved, there shall always and continually be two full indented inventories corresponding to each other, of which one part is to remain continually in the said chest of jewels and the other with the bursars under diligent custody. We further lay down that each year there is once to be an actual^y showing of all the goods both there and in the custody of the sacristan, in the presence of the provost, the vice-provost and the bursars, so that it may be possible for them all to assess openly the state of the same goods. We further order that in that second room there is to be a great

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chest, strong and secure, locked with three locks of which locks the vice-provost, the precentor and the senior fellow who by no means is to be an official in that year are to have three different keys divided among themselves, in which chest are to be put all sums of money beyond the annual, weekly and daily expenses, to be preserved more securely, which⁸⁴ we intend to be most securely and safely reserved for defending law suits and pleas and acquiring, if need be, more ample possessions. We allow, however, that from the same moneys thus set aside the bursars of the next following year may with the advice of the provost and vice-provost receive and borrow certain reasonable sums, which sums thus to be borrowed by the same bursars before the end of the year by the same in virtue of the oath given by the same to the college, unless for a legitimate cause preventing the same to be approved by the judgement of the provost, vice-provost and sacristan, (in which case)⁸⁵ we will that the bursars of the next following year be constrained to pay the same sums within their year under the obligation of their oath. We further lay down that in the great chest aforesaid there shall be another smaller chest in which we wish to be placed for more secret and safe custody certain sums of money of our

84. (pecuniarum summe) quas in L. quos in H. & W. o/

85. In quo casu appears in the text here, both in L. O. and H. & W., seemingly in error.

liberality granted and given to the provost and fellows of the said Royal College and also to the college itself for defending lawsuits and pleas and for the sudden ruin of manors which otherwise cannot in any way be repaired from other moneys issuing or to issue to the said college from its rents. There are to be three different locks to this smaller chest with as many different keys, of which the provost is to have one continually with him, the vice-provost another and the senior bursar the third, and we strictly charge these key-bearers to preserve all the sums of money placed in the said chests or to be placed there as secretly as they can in the manner and form aforesaid to be converted to the uses aforesaid when need shall be and not to others, discreetly and faithfully without guile, fraud or evil intention. We further ordain that on the door of this second room there shall be three different locks with as many keys pertaining to the same, of which the provost is continually to have one with him, the vice-provost another and the junior bursar to have the third. And on each chest of muniments and jewels aforesaid there are also to be three locks with as many different keys, of which keys the provost is continually to have with him one of each chest and the two other keys are to be held by the sacristan and another fellow to be elected each year for the purpose by the greater part of the fellows, who shall not be an official that year. We further lay down that there shall always and continually be in our college aforesaid a reliable inventory

of the utensils and moveable goods of whatever offices are concerned with the bursars of the said Royal College, which together with the aforesaid goods the bursars are to exhibit and show once a year at least after the end of their accounting, in the presence of the provost and the greater part of all the fellows of the college then present; and they are to have it distinctly read then and there, so that thereby each year clear evidence may be shown of the increase and decrease of such goods and of the good economy or industry as well as of the good or bad administration of the foregoing. And it is our will that additions and subtractions are always to be made to the inventory according to alterations, whether increase or decrease of the said utensils and goods, and that it is to remain with the rolls of accounts in a certain chest specially allocated thereto as specified by us above. We further ordain that each year, after the burdens of our said Royal College have been adequately borne according to the ordinances and statutes of the same, such residue as there shall be of the fruits, rents and proceeds of our said college is to be kept for the use and welfare of the same integrally and well and faithfully in the said chest of the aforesaid second room faithfully deposited and kept securely in the same.

36. OF THE DISPOSITION OF ROOMS

Further, we lay down ordain and will that all and singular the rooms of our said Royal College, and the places of study in the said rooms, are to be assigned by the aforesaid provost and vice-provost, according to their ordinance and disposition, saving our ordinance and direction following, to wit, that in the upper rooms of the quadrangle of our said college first and especially all the fellows of the same and the school master are to be separately lodged in separate rooms. And then the other upper rooms are to be assigned to the chaplains of the same two and two, after whom the usher and the clerks of the collegiate church are to be placed in the lower rooms if the upper are not sufficient, and then in the other lower rooms, the scholars, choristers and boy commensals are to be lodged, of whom each of all the scholars of our said college after the completion of the fourteenth year of his age is to have his own separate bed⁸⁶ and is to lie alone entirely without a fellow. But we allow those being beneath that age to lie two together, provided however that they do not exceed the number of two in one bed, and that in the several rooms aforesaid of boys there shall be at least three worthy scholars excelling the other scholars in maturity, discretion and knowledge, who are to superintend the other students who are their room-mates and diligently to supervise them, and concerning their conduct and conversation and the

86. lectum suum habeat separatim in L. O. lectum suum habeat separatim in H. & W.

progress of their studies are truthfully to certify and inform the provost, vice-provost and school master from time to time as often as there shall be cause or need, under the obligation of their oath made to the college aforesaid when they shall be required, so that such scholars as are defective in their conduct, negligent or idle in their studies, may receive due and adequate chastisement, correction and punishment according to their shortcomings. But we wish the provost of our same college for the time being to occupy in perpetuity the rooms on the western side of the hall of our Royal College together with the parlour there and all easements in the same. Furthermore we strictly and expressly forbid anyone in the aforesaid upper rooms in making water, or washing his head, hands or feet or anything else, or otherwise in any way whatever by pouring any wine, beer or other fluid whatsoever, to cause a liquid effusion by which the scholars or others being in the lower rooms may in their persons, goods or property be incommoded or in any way molested.

37. OF THE MAINTENANCE AND REPAIR
OF THE CHURCH AND HALL AND OF
THE OTHER BUILDINGS OF THE SAME.

Further, we will, lay down and also ordain that the church of our Royal College and its hall and the other several buildings of the same, laboriously built with God's help at our expense, are to be maintained in walls, roofs and every part thereof for perpetual

future times, duly, sufficiently and suitably in every way. And if it befall through the death of flocks, a dearth of produce, the carelessness of bailiffs or reeves, fire or any other fortuitous chances (which God forbid) that the moveable goods of the college are so much reduced that they do not suffice above the stock of the manors for the maintenance of the fellows and scholars, and other necessities, and the suitable repaire of the defects of the church and hall and other buildings of our said college, if there be any, we lay down, ordain and will that each week there be withdrawn from the commons of the provost 4d., and from the several commons of the priest fellows 2d., which are to be reserved for the restoration and repair of such aforesaid defects, and specially converted to this use, until such defects of the hall and any others whatever be sufficiently and fully repaired and restored in everything. And to the faithful promotion of that order and its diligent prosecution and effective observance we will that the provost of our said college for the time being, the vice-provost and the several other priest fellows be bound by virtue of their oath made at their admission to the college. Moreover we will that the provost and fellows of our college aforesaid diligently superintend and duly repair the fence of the cemetery and the cloister, as well as the stalls or seats of the parishioners in the nave of

the same collegiate church, within which cloister or cemetery we forbid other buildings besides to be newly built. We allow, however, the parishioners of the said collegiate church and others who may be buried in the said cemetery to have tombs or monuments or places of burial set up, in accordance, however, with the judgement of the provost of our said college. But within the same collegiate church or the cloister of the same nobody is to be buried but a provost, vice-provost, school master, fellow, or chaplain, usher, clerk, scholar or chorister: the 13 youths or boy commensals we wish to be buried within the same cloister under the roof or under the sky in an empty place there according to the discretion of the provost or vice-provost of our college. But the poor and infirm men of our said college we wish to be buried only in a certain burial place apart which we have had dedicated specifically for them. Further we ordain and will that when new constructions or any repairs of buildings ~~are to~~ be made they shall be begun about the beginning of the month of March and finished at the feast of Simon and Jude⁸⁷ then next to come, and then with the coming of that feast they are to cease from such works altogether until the beginning of the month of March then next following, small constructions and repairs which cannot conveniently be deferred being alone excepted.

87. 28 October.

38. FURTHER, OF THE SERVANTS OF
OF OUR COLLEGE AND THAT THE
SERVICES OF THE SAME ARE TO BE
DONE BY MALES.

Further, we lay down, ordain and will that there shall always and continually be in our college aforesaid one who performs the office of notary public, and for making protocols and public instruments in and upon elections and oaths of provosts and admissions and oaths of fellows and scholars whatsoever and other instruments whatever, however often and whenever they have to be made, and in addition for the collecting or having collected the pence of St. Peter each year at the need of our said Royal College, as well as the writing of acts whatsoever of the provost or his official concerning the making visitations there among the parishioners and other public acts whatsoever in the said collegiate church to be made by reason of the ordinary jurisdiction which pertains to the same Royal College. If such a one cannot conveniently be had from the number of the chaplains or clerks or other servants in the said Royal College we will that he be provided from outside, so that, as aforesaid, there may be one notary public entirely remaining in our said college. And similarly there is to be retained always and continually in the same Royal College one who is skilled in canon law, who is to be called the official of the provost and is to be fit for the exercising of his spiritual jurisdiction aforesaid

under the said provost when there shall be need, and he is to exercise his function effectively as often as it is enjoined to him. We will that he similarly is to be provided from outside if he cannot be found within the number of the chaplains aforesaid, to wit, from our university of Oxford or from the ministers of the Canterbury court of Arches of London, or from preferred rectors or vicars in the county of Buckingham, and on no account from any living elsewhere. We will that the salaries of him and of the said notary public be supplied from the common goods of our said Royal College. And we will that in the same our college at the charge of the same there is always to be one steward and buyer of victuals who under the supervision of the bursars is each week to make the purchases and provisions of the weekly victuals. And there is to be one other who is the butler who shall always be concerned with the dispensation of bread and drink, who furthermore together with an under-servant in the pantry and buttery of our said college must be perpetually at the service of the provost, fellows and scholars. In the kitchen there is to be one chief cook who, when he has time is to help the aforesaid steward in the buying of victuals, and he is to have three servants with him, one valet, one boy and the other a page, found or maintained similarly from the goods of the before mentioned Royal College. Furthermore there is to be a

door-keeper of our same college perpetually responsible for shutting and opening at due times, who, either personally or through a useful and honest boy whom he is always to have under him in his office in the same college, is continually to see to the making of torches and other lights for the church, as often as there shall be need, and furthermore is to exercise the office of barber and is duly and diligently to shave the provost, fellows, scholars, choristers and other persons of our said Royal College and with the other servants, as is fitting, is humbly to serve the same provost, fellows and scholars in the hall at the times of meals. And we will furthermore that there shall be one or two others who in our college are to fill the office of baker, and two others who are to exercise the office of brewer, and one who shall have the care and supervision of the garden and also one groom and one or two boys who are to look after the horses of the aforesaid college. Furthermore we lay down, ordain and will that both the under-janitor, under-butler and under-cook and the gardener as well as the ~~baker~~, fisherman and keepers of the horses are duly and adequately to help the parish clerk of the said collegiate church for the time being, when and as often as there shall be need and they shall be called thereto, or for the sounding and ringing of the bells, according to the exigence of the time and the custom already had in our aforesaid college, to

which we intend them all and singular to be charged at their admission to their offices in our said college⁸⁸. And this we ordain firmly to be observed for perpetual future times, that the several services incumbent upon or belonging to the said Royal College and the persons of the same, especially those within the enclosure of the buildings of the same college, are to be performed by males and not by females, so that all sinister suspicion herein may be utterly avoided, save that a femal washer of clothes and linen garments, if a male cannot easily be found for such an office, may be allowed to be admitted to performing and exercising that office, in such a way however that, in defect of a male washer she is to receive the several cloths and other such garments to be washed⁸⁹ by the hands of the aforesaid door-keeper. And we will that this washerwoman be of such an age and such a condition that no sinister suspicion should fall upon her or be had towards her justifiably. But we intend that such washerman or washerwoman shall live altogether outside our said college and in the town there or elsewhere near it and within the parish of the same, and for salary shall receive at the end of each term such as the bursars or steward in the name of the college shall best be able to agree with him or with her. But for the salaries of the said servants of the college we will that they shall be provided from the goods of the same.

88. ad officia sua in nostrum collegium in L. O.
H. & W. omits in

89. Both L. O. and H. & W. have lavanda which should agree with singulas mappas ac vestes alias

39. OF THE SURVEY OF THE MANORS AND
THE ACCOUNT OF THE MINISTERS OF
THE COLLEGE, AND AT WHAT TIME
THEY ARE TO BE RENDERED.

Further, we lay down, ordain and will that immediately after autumn, at least after the feast of the Exaltation of the Holy Cross, each year a circuit and progress is to be made by the provost, vice-provost or another of the fellows, discreet, apt and to be elected and deputed thereto by the fellows, or at least by the clerk of the accounts of our said college, to all manors, benefices and granges and woods whatsoever pertaining to the said Royal College, actually to survey the state of such manors, benefices and woods, and the stock alive and dead of the said Royal College, to wit, in horses, draught animals, oxen, cows and their calves, sheep, ewes and all animals and herds of whatever kind, and to estimate and have estimated the corn in the granges, so that the same provost, vice-provost or fellow aforesaid or clerk of the account in the said circuit may forewarn, or have forewarned, all and singular bailiffs, reeves, farmers and other servants whatever charged with accounting that they are to be ready at a certain day within the month of October or November as quickly as can be to be fixed by the said provost, vice-provost or fellow or clerk for then rendering their accounts in our college aforesaid or in the manors, benefices or granges aforesaid as shall seem best to the provost, vice-provost or fellow or clerk aforesaid. We also will that after such

circuit is complete, as soon as it can be done, without any delay or excuse the audit of the accounts is to be begun in the room within the same college deputed for the purpose, and without any interruption, negligence or delay within the said month of October or November, as quickly as can be done, is to be duly completed, lest the college thereby is to be burdened and heavily charged in greater expenses. We lay down that the aforesaid accounts to be made in the same college are to be audited by the provost, vice-provost, precentor, sacristan, bursars and two other senior fellows who are not officials, so that at the end of each year after the account of all the bailiffs and servants aforesaid has been fully rendered, a final account of all the receipts and commons and expenses of the household of the said Royal College and of other internal and external expenses whatsoever made by the bursars or otherwise, is to be finally and fully audited and duly engrossed. And all rolls of accounts both of the bursars and of other accountants whatever, and transcripts of pleas and all muniments and extents of manors are to be placed in the treasury and securely kept in the chest above allocated thereto by us, so that thereby sufficient evidences both for the defence of their churches and the rights of their manors, and for the yearly value of the same, may be able to be had from time to time in future. We further lay down and will that each year also immediately after Easter, as soon as can be done, at once another circuit by the provost, vice-provost

or fellow or clerk of the account aforesaid or one other,
 or more, mature, discreet and literate persons specially
 elected for the purpose, and a view of all manors and
 churches whatsoever pertaining to the said Royal College
 are to be (made)⁹⁰, also the issues of the granges are
 to be viewed and the remains of corn then in the
 granges are to be estimated anew. There is further to
 be a view of the state, number, alteration and condition
 of the stock of each, alive and dead, to with of horses,
 draught animals and other animals and things as above
 in the aforesaid circuit is fully set out, so that they may
 be clearly informed about the expenses of the repair of
 buildings, the keeping of the woods, fences and other
 necessary things that have been done and are to be done
 in the said manors. And we will that the said circuit
 and view, if it can be conveniently done, are to be
 altogether finished and ended within 40 days to be
 numbered continuously from the time of their beginning,
 and that the said provost at least in every two years,
 except through reasonable impediment is to view
 himself the aforesaid benefices, granges and manors.

of

90. The word fiant appears to be lacking here. The
 punctuation in H. & W. makes no sense. The
 semi-colon after videantur should surely come
 after pertinentium.

40. HOW THE AUDITORS OF THE ACCOUNT
HAVE TO INFORM THE OTHER FELLOWS
OF THE COLLEGE AFTER THE ACCOUNT.

After they have audited, examined and discussed the reckonings and accounts of all and singular the ministers aforesaid, the provost, vice-provost and bursars and their auditors aforesaid are to be bound each year summarily, faithfully, distinctly and expressly to inform all the priest fellows of the said college, in writings openly and faithfully under the obligation of their oath, of all things found and discovered in the accounts as well as the true yearly value of all and singular the manors, lands, rents, possessions, churches and other things and goods whatsoever pertaining to our said college or in any other way whatever or revenue to the same on which ought to be of revenue. After this on the same day or on the next day then following, every year the aforesaid provost and bursars before the same auditors who are to be summoned specially for the purpose, are to be bound and obliged faithfully and fully to render faithful reckonings of all receipts and deliveries of whatever moneys and goods in any way concern the said Royal College, which have by whatever means come into their hands, upon their oath to the said our college on their admission, according as such business concerns each one of them, and to declare there what has been and is to be received for the year for which the account is made, so that the state of the said college herein may be fully known to the fellows of the same to whom the matter is of import.

41. HOW THE BURSARS, AFTER RENDERING THEIR ACCOUNTS, AND THE OTHER OFFICIALS ARE TO BE BOUND TO DELIVER AND HAND OVER THE KEYS OF THEIR OFFICES TO THE PROVOST.

And since in such a ministry committed to the said bursars their fidelity, solicitude and industry are highly necessary, we will that, when the account of the same has been rendered, immediately without any delay both they and the other officials and other fellows whatsoever having keys of our said college in ~~that~~ custody, are to hand in and restore the keys of the chests and other custodies whatever committed to them in sign of resignation and withdrawal from their offices, and all and singular the fellows who are internal officials, ~~except~~ the provost, are thus bound and obliged also to give up⁹¹ their offices. After this has been done they are to proceed to the election of the vice-provost and the several such officials for the future, according as it is more fully expressed above in other chapters containing the form of their elections. We further lay down, that in no case at all is any fellow allowed to refuse any such office to which he shall have been elected or appointed. We further ordain that to none of the said fellows are two of the aforesaid offices at one and the same time in any way to be committed.

91. cedere in L.O. reddere in H. & W.

42. OF INDENTURES OF ACCOUNTS TO BE
MADE IN THE ACCOUNT WHICH HAVE
TO REMAIN IN THE CUSTODY OF THE
PROVOST AND BURSARS.

In the complete auditing and also deciding upon these reckonings such diligence is to be used that after the completion of the whole account or on the days⁹² of the accounts themselves two summary indentures are to be made of the state of the same Royal College and of the total residue remaining, of which one is to remain with the provost who shall be for the time and the other is to be faithfully deposited in the common chest of our said college assigned thereto as aforesaid. Moreover the bursars of one year are to be obliged as soon as they can after their election to have transcribed by their clerk copies of all the accounts of the bailiffs and ministers aforesaid made in the year immediately preceding and to deposit and keep them together with all transcripts of all pleas and muniments touching the said college and its state or rights whatsoever in the common chests aforesaid safely for protection against diverse perils, in perpetuity. Moreover we will that there shall always be a clerk in our said Royal College, a man provident and discreet, competently informed about documents and writing, to be employed by the provost for writing the register, rolls

92. in ipsorum computorum diebus in L. O. H. & W. omits in.

and books of the bursars, and transcribing and copying muniments and memoranda of our said college, as well as copies of accounts whatsoever, whom we wish to be called the clerk of the bursars, and we will that he shall help and obey them in their business and the activities of their office, whom we wish to be adequately remunerated for his labours in this sphere beyond his commons and vesture according to the discretion of the provost and bursars.

43. OF THE SCRUTINIES OR CHAPTERS TO BE CELEBRATED THREE TIMES A YEAR IN THE COLLEGE AND THE READING OF THE STATUTES.

Further, in order that the several acts and several businesses both about spiritual things and about temporal things concerning our Royal College of Eton and the persons of the same may be made more providently and proceed more securely, we lay down, ordain and will that at the command of the provost for the time being in future times thrice at least in a year all and singular the priest fellows, chaplains, clerks, scholars, choristers are to be called together and to congregate in the collegiate church there⁹³ on some convenient day on which it can be best done with the least impediment, the first time, to wit, in eight days or thereabouts before the feast of the Nativity of the Lord, the

93. ibi in L.O. ibidem in H. & W.

the second time within eight days or thereabouts before Easter and the third time within eight days or thereabouts after the feast of the Translation of St. Thomas. And when the provost and fellows are thus congregated together they are to have solemnly celebrated among themselves first and before all things the Mass De Trinitate, in which the five following prayers are to be said, first De Trinitate, second De Sancta Maria, the third for our healthy state while we are alive, Quesumus omnipotens Deus ut famulus ~~teme~~ Henricus Sextus, rex et fundator noster etc., and when we have migrated from this light in the place of the prayer, Quesumus omnipotens Deus, is to be said the prayer Deus cui proprium est misereri etc., propitiare anime famuli tui regis Henrici sexti fundatoris nostri and the fourth Fidelium,⁹⁴ for the souls of our father and mother of famous memory, to wit, Inclina Domine etc., and the fifth Fidelium Deus omnium conditor etc., for the souls of the benefactors of the said college and all the faithful deceased. Then the provost and fellows aforesaid in some suitable place are to have the ordinances and statutes read and recited publicly and distinctly among them, so that all and singular our ordinances and statutes in the said three scrutinies are fully read through. And no priest fellow of the said college is to absent himself, without legitimate impediment, from this reading

Tuus /

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94. Fidelium in L.O., not in H. & W.

and recitation upon pain of loss of commons for a month and of vesture for one year then next following, so that none may be able to pretend or allege ignorance of the said statutes. Then the scrutiny and examination is to be made by the provost and vice-provost, or in the absence of one of them or in his being reasonably prevented, by the other one, in the best manner and form that the said provost and vice-provost shall decide upon; in which scrutiny of the life and conversation of each of the priest fellows and scholars, their conduct, conditions, and their progress in scholarly study and observation of our statutes and ordinances, together with all things which in our said college and the persons of the same require correction and reformation, most careful and diligent inquiry is to be made, and according to what is found there by the inquiry things that should be corrected are to be corrected and the transgressions of offenders according to the manner and extent of the offence in pursuance of our aforesaid statutes and ordinances are to be punished with condign chastisement unless this has already been administered. Furthermore in these scrutinies there is to be diligent discussion of and concerning all and singular matters to be put in order and reformed which towards the conduct of the spiritual and temporal affairs of our college, both within and without, shall appear or seem useful. And if the first days of the three such scrutinies do not suffice for accomplishing the foregoing, we will that they shall be

continued and prorogued to further days then next following or otherwise suitable, according as the needs of the affairs and business and the welfare of our college demand. Further, we lay down, ordain and will that the corrections, punishments and re-formations whatsoever of all and singular crimes, offences and transgressions, deficiencies and delinquencies, committed by whatever priest fellows, scholars or other persons of the said Royal College, as soon as can be done, within three continuous days after they have been found out or reported or otherwise legitimately established, with all the force, form and effect of the statutes and ordinances of our same college, without further delay, are to be duly executed, as is fitting, unless perchance through the absence of the provost or the delinquent person or any other person required (for)⁹⁵ such correction and punishment according to our said ordinances and statutes or through some other urgent, useful and necessary cause such corrections, punishments and re-formations shall be deservedly deferred or postponed, or longer delays are expected, and then as soon as can be done (they are to be executed)⁹⁶ without any delay. And in such corrections and punishments of which there is special mention in our ordinances and statutes, the statutes in which mention is made of the

95 - 96. The words in brackets have to be supplied in this sentence.

transgression, crime or offence for which the punishment of the offender is to be made, are to be read to the fellow or scholar about to be punished, if it is a question of the expulsion of a scholar, before he is punished. But if in our ordinances and statutes concerning the punishment of transgression, crime or delinquency or the penalty of the offender against certain of our aforesaid statutes a special caution is lacking, we will, lay down and ordain that then such correction and punishment shall be made according to the judgement and discretion of the provost or vice-provost and two priest fellows. We further lay down and ordain that none of the priest fellows or scholars aforesaid is to protect another priest fellow or scholar of the same college or anybody else charged, informed against or accused of any crime, transgression or delinquency before the provost or vice-provost, or to defend, sustain or help the same with advice, word or deed or to say anything whatever on his behalf by which the due correction or punishment of the said offender might be the less able to be made according to the provision of our aforesaid ordinances and statutes, and so that the said correction be not delayed or otherwise in any way deferred under pain of perpetual expulsion from our said college, but such an offender alone is to answer by himself and for himself and is to receive the penalty of his transgressions. We

further lay down that no priest fellow or scholar of our said Royal College who has been detected, or informed upon, in crimes, transgressions or delinquencies, is to try to have a copy of the things discovered or detected handed, issued, given or delivered to himself or the names of those detecting or denouncing shown to him, nor are the said findings and detections or names to be handed over to the same, but upon such findings and detections he is personally to answer, and is to undergo due correction, according to the exigence and tenour of our ordinances and statutes, omitting all provocations whatsoever, appeals, complaints, and other remedies of law and fact by which the correction and punishment of the priest fellow or scholar may be deferred, or somehow else impeded, upon pain of perpetual expulsion from our said Royal College. We further lay down that every priest fellow of our said college is to read all our ordinances and statutes of the same college at least once each year with good diligence and mature deliberation by himself or with another fellow of the same college and apply his mind and diligence to their understanding, lest the said fellows of our college through ignorance of the said statutes may easily incur the guilt of perjury or be the cause of ignorance in the same. Concerning such reading there is to be a special inquiry by a priest fellow in each of the scrutinies

aforesaid; and upon this each fellow is to be questioned under the obligation of his oath given to the college.

44. OF THE CONSERVING OF THE BOOKS OF THE COLLEGE, AND NOT ALIENATING THEM.

Further, we lay down, ordain and will that the relics, vestments, chalices, jewels, books and other ornaments whatsoever given by us or by the pious generosity of other faithful persons to the said college to the use of the collegiate church or of our college itself and in order that the divine offices may be celebrated there more honourably, or those that have been obtained out of the goods of the college itself or from elsewhere, are to be more safely deposited in a certain building ordained for the purpose by us and specially adapted thereto and more securely conserved there except when the same are to be taken out therefrom for the celebration of divine offices in the said church or for adorning the same according to the discretion of the sacristan; and we altogether expressly forbid them at any time ever by any title of alienation to be transferred to another, pledged or in any way moved outside the boundaries of the said college, unless for the purpose of restoring, mending, or repairing the same or for any other anxious and necessary cause to be approved

by the provost and bursars or in the absence of the provost by the vice-provost and bursars, in which cases they are to be delivered by indentures. But the books of whatever faculties which have been given to the said Royal College by benefaction, or obtained in any other way, except those which by the will of the donors or the disposition of the provost or the bursars shall chance to be granted, loaned, assigned or handed over to the use of the fellows or scholars of our said college, we will and order that they be deposited and chained in the common library of the same our college. We further lay down that no book of our said college is in any way to be sold, exchanged, given away, pledged or by any other title or colour alienated; nor is it to be lent to anyone other than a person of the college, nor is it to be given to someone of the college, or of outside, in quires for the writing of a copy outside or inside the college, nor is it to be taken or carried outside the same college aforesaid, so that by night it is not to remain outside the college aforesaid, unless for binding or necessary mending or repair, in which case, as quick as possible and without delay, it is to be bound, mended or repaired and then brought back to the said college instantly. Furthermore we lay down and also ordain that all such vestments, chalices, jewels, ecclesiastical books and other ornaments, together with all other

books of whatever faculties they be, are to be described in a register, to be bound for the purpose specially of membranes, in which each book is to be described clearly by the beginning of its second folio, and other things whatsoever aforesaid concerning its distinct and separate qualities, together with the names of its donors, which register the bursars of the said Royal College are to have with themselves and keep in their bursary. Moreover the several bursars for their times are to be obliged to have the goods whatsoever now pertaining to the same college or newly going to come to it in whatever way in the future, as aforesaid, to be distinctly listed and described in the register of the said college.⁹⁷

Also they are to inscribe or have inscribed on the second folio of every book or wherever it may be most conveniently done, the names of the donors of the same books, with the following clause, Liber Collegii Regalis Beate Marie de Etona ex dono N., with the name and surname of the donor added. We further will and also lay down that whichever fellows or others of our said college are about to receive any books on loan as aforesaid, before the delivery thereof is made to them, they are to write or have written on small indentures that they have received from the hands of the provost, or in his absence the vice-provost,

97. H. & W. has in dicti collegii registro, L.O. in collegio registro

from the goods of the said Royal College the books which they are thus about to receive on loan, in which indentures they are to describe such books in turn by the beginnings of their second folios. We intend that these small indentures shall always remain in the custody of the provost, or in his absence of the vice-provost. We further lay down and also ordain that once every year within eight days before or after the feast of All Saints, before the provost, vice-provost and bursars of our said college, or, in the absence of the provost, the vice-provost and bursars aforesaid, all the vestments, jewels, chalices, books and other ornaments of the said collegiate church and our college aforesaid, together with all books of whatever faculties they be, loaned to fellows or others of the said Royal College, as aforesaid, so that it may thus be seen if any of the same have been lost, withdrawn, or torn or in any way mutilated. And if any (and may it not be the case) have been lost or withdrawn, they are to be fully replaced by him who had the custody of them. And if any of them need repair in due time they are to be repaired. We further will and firmly ordain, that in every donation of books and other things whatsoever to be made to the said Royal College by living persons or in a last will, the will and disposition of such a donor is in every respect to be observed, so long as the ownership and possession of such books and things remain and abide with the said Royal College

perpetually. And we will that the provost, fellows and other sworn members of the same college shall have free access to the common library of our said college, provided they do not bring in strangers, unless these be such as they are also willing to answer for at their peril, if (and may it not happen) they shall cause any damage there.

45. OF THE CUSTODY OF THE STATUTES
OF THE COLLEGE OF ETON AND OF
OUR ROYAL COLLEGE OF CAMBRIDGE.

Further, we lay down, ordain and will that the original whole book of our ordinances and statutes of our college of Eton, and the book of the statutes of our Royal College of the Blessed Mary and St. Nicholas of Cambridge, adequately bound and with a worthy cover, with our royal seals appended to the same, are to be deposited in a certain chest in a room of the treasury allocated to the purpose and faithfully preserved under safe and secure custody with other things to be deposited there. And we will that a true copy of all the aforesaid ordinances and statutes shall be deposited in the library of the said Royal College and shall also remain there, so that the priest fellows and scholars of the said college without any difficulty whatever, as often as they have need, may have access, as is fitting, to inspect, read and understand the said copy for their information and so that they may the better know and observe the aforesaid ordinances and statutes, as they are obliged. And

to the removal of all matter of dissension and preventing of occasions of any kind of discord and controversy, abolition of scandals and avoiding of dangers which may be likely to arise concerning the expression of a true understanding of such ordinances and statutes from the various opinions of men whose sentiments are insufficiently practical and perhaps too subtle, we lay down and also ordain, with express inhibition that neither the provost nor anyone else of our said college, of whatever state, grade or condition he may be, collectively or separately, is to show the said statutes and ordinances or any chapter of the same, to any extraneous person, or to make for anyone a copy, reproduction or transcript of the aforesaid statutes and ordinances or any chapter of the same, or in any way to have or procure such to be made, or so far as in him lies to allow it to be made in any way, unless for their necessary defence or from any other⁹⁸ necessary or advantageous cause, to be approved by the greater part of the priest fellows of our Royal College of Eton aforesaid, under cogent necessity or the pressure of advantage, it is needful to do so.

98. alia in L. O., aliqua in H. & W.

46. OF NOT HAVING JUMPING, WRESTLING
AND OTHER DISORDERLY SPORTS IN
THE CHURCH OR HALL, ETC.

Further, since by the making of rough and disorderly sports in the church, cloister or hall of our said Royal College of Eton, and perhaps by the insolence of some partaking therein, the said church and hall may be frequently damaged and impaired in walls, stalls, pictures and glass windows and otherwise, we, wishing to secure the protection thereof, strictly prohibit the throwing of stones and balls and any other things whatever⁹⁹ in the collegiate church, cloister, stalls and halls aforesaid, and furthermore jumping and wrestling and other rough and disorderly games whatever in the said church, cloister and hall at any time at all, by which, or any of such, loss and detriment may in various ways be incurred in the sumptuous works of the same both in substance or form. And if anyone is found guilty in the foregoing or in any part thereof he shall have to make good adequately for the damage he has done. And at the same time, in order that the punishment of one may be the fear of many, he is to be sharply punished without any favour whatever by the withdrawal of his commons, or otherwise according to the discretion and ordinance of the provost or viceprovost of our said college, according to the extent of his transgression.

99. rerum quarumlibet aliarum in L. O. rerum not in H. & W.

47. THAT THERE IS TO BE NO REGARDING
OF PERSONS IN THE COLLEGE.

Further, because it is known to be written in the divine law, you shall judge the great as the poor, nor shall there be with you a regarding of persons, we lay down, ordain and will that the provost, vice-provost, bursars and other officials and ministers of our said college, and the scholars and all the priest fellows, of whatever grade, state or condition they may be, without any regarding of persons, family or district whatever, are to love each other reciprocally with mutual and due charity, and both in rectitude of government and rule as in the free delivery of victuals and good instruction and mutual exchange, and in all other matters pertaining to them they are to present and show themselves indifferent without any partiality and, as is seemly, to conduct themselves in everything equally and amicably. Moreover we prohibit the provost, vice-provost, bursars and other higher persons of the said Royal College whatsoever, and the scholars and priest fellows of the same from being, any one of them, a regarider of persons in any way or one who is favourable or partial to one rather than another of our said college in those things which concern the ordinances and statutes of the said college and their execution, or who takes sides on behalf of anybody in any way, or in any manner against the love of fraternity and charity causes trouble or unpleasantness. And furthermore we strictly charge the same provost, vice-provost, bursars and all and singular the superiors for the time being in virtue and under the obligation of the

oath given to the said college by the same, that they and every one of them as far as in them or any of them shall lie are diligently and indifferently to make and execute corrections, punishments and reformatations due, true, reasonable and just of any transgressions, delinquencies, crimes and offences of the scholars and fellows of our said college whatsoever as often as, where and when and as need shall be, according to the quality of the affair, the force, form and effect of our ordinances and statutes, without any partiality, putting aside also and banishing all kinds of prayer, price, love, hatred and envy and favour as well as the affections of consanguinity or kinship, or special prerogatives from whatever causes pretended or conceived. And they are to perform faithfully in all ways those things which have to be done in that business for the welfare, utility, tranquillity, brotherly peace, mutual charity and honour of our said college.

48. OF THE SHUTTING OF THE GATES OF
OF THE COLLEGE, AND THAT WOMEN
ARE NOT TO BE INTRODUCED.

Further, we lay down, ordain and will that the gates and outer doors of the said college every day at sunset or at least before the darkness of night are to be shut firmly and locked, and are to remain thus shut and locked and not to be opened before the rising of the sun on the following day, except that for those going out to the church to say matins or to the schools, or for other

reasonable and honest cause to be approved by the provost or vice-provost, exceptions may be made. We will that the keys of such gates and doors are to be kept in the custody of the provost when he is present, and of the vice-provost in his absence, every night unless a reasonable cause prevents this. Furthermore we forbid the door-keeper, baker, brewer, cook, steward or other official of the said college or minister to introduce any women into the said college or their offices or to receive them in the same, except for a reasonable and honest cause to be approved by the provost, vice-provost or bursars.

49. OF THE METROPOLITAN VISITATION OF THE ARCHBISHOP OF CANTERBURY, AND THE ORDINARY VISITATION OF THE BISHOP OF LINCOLN, TO BE MADE IN THE SAID COLLEGE BY THEMSELVES OR THEIR COMMISSARIES.

Further, since it is very close to our heart that all and singular the ordinances and statutes of our said Royal College, issued and to be issued by us, shall be fully and effectually observed in perpetuity, and all its goods faithfully preserved and discreetly administered, we firmly hope that the most reverend father in Christ the archbishop of Canterbury, metropolitan of our said Royal College, and the reverend father in Christ the bishop of Lincoln, diocesan of the same, who shall be for the time being, as they are to be visitors and

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ordinaries of our said college, will thus be favourable conservators and especial protectors of the same college and of all the persons and possessions spiritual and temporal, the rights and liberties and privileges of the same, and specially, of our aforesaid statutes and ordinances. On account of this our singular confidence in them we have not taken the pains to make our said college exempt from them by the authority of the apostolic see. We will that the same archbishop of Canterbury, as often as he shall visit the cathedral church and diocese of Lincoln by metropolitan right personally or through deputies, and the bishop of Lincoln, as often as required by the provost, vice-provost and two bursars of the same our college, or by all the fellows of the same or the greater part of them, as well as without request whatever, every three years when the bishop visits his cathedral church and diocese ordinarily, they are to come freely once to our aforesaid Royal College, personally or by their special commissaries whom they shall have deputed for the purpose (excluding the provost of our Royal College of Eton aforesaid or the provost of our Royal College of Cambridge or the collegiates in the same or those who because of some offence, crime or transgression or delinquency have left either of the said colleges, the archdeacon of Buckingham, the deans or wardens or canons of our free royal chapel of St. Stephen within our palace of Westminster or our royal chapel within our castle of

Windsor, and other deans, wardens, masters of heads of colleges whatsoever being and situated within ten miles of our said Royal College of Eton, by whom or any of them we do not intend this business to be executed) to our aforesaid Royal College, and are to summon the provost and all and singular the fellows, chaplains, school master and usher, and clerks and scholars and choristers, as well as all persons whatever of the same college, in the collegiate church there by the obligation of his pastoral office, to the effectual exercise of which on the bowels of Jesus Christ and under the aspersion of his precious blood we implore the same. We will that these most reverend and reverend fathers and their commissaries by vigour of our present ordinance and statute shall have full power of most exactly ascertaining, with regard to all and singular the articles in our ordinances and statutes contained, through the provost, and all and singular the priest fellows, the school master, chaplains, usher, clerks, scholars, and other persons aforesaid, even (if need be) by imposing an oath upon them to speak the full and pure truth, whether, to wit, our ordinances and statutes aforesaid have been duly executed and observed by them all so far as pertains to each of them, as well as in all and singular matters concerning the state, welfare and honour of our said college and which they know or think should be reformed in our said college and the persons of the same,

except¹⁰⁰ about hidden matters as well, if upon those they have not been specially asked, (of ascertaining) the transgressions and negligences, crimes and delinquencies committed by anyone whatever of the said Royal College of whatever kind, of correcting and also of punishing in accordance with all the force, form and effect of the ordinances and statutes¹⁰¹ and of duly reforming attacks against the ordinances and statutes aforesaid, and in doing, exercising, executing and accomplishing all other and singular things which may be necessary or in any way opportune in the foregoing, even if it means proceeding to the deprivation or expulsion of the provost, vice-provost or anyone else whatsoever from his administration or office, or to the expulsion of the school master, usher or any fellow or scholar of our said Royal College from the same college, according to the exigencies of our statutes and ordinances herein.

And we will therefore and order the provost and vice-provost, fellows, schoolmaster, chaplains, usher, clerks, scholars and choristers, and other ministers whatever of the said college effectually to pay attention to and obey the aforesaid most reverend and reverend fathers and their commissars aforementioned, in all

100. preterquam, except. A word meaning "also" would seem to make better sense. At the same time it was part of the oath of fellows and scholars that if they knew any secrets of the college to the prejudice of the same they were not to reveal them. Is it possible that stat. 49 is here recommending discreet taciturnity in face of the visitors?

101. juxta vim formam et effectum statutorum et ordinationum statutorum corrigendi in L. O.
juxta omnem vim formam et effectum ordinationum et statutorum corrigendi in H. & W.

and singular the foregoing. We further lay down that no one in making such visitations or scrutinies in our said Royal College is to say, depose or denounce anything against the provost, vice-provost, school master, usher, any of the priest fellows, chaplains, clerks, scholars, choristers or other persons, unless what he believes to be true or of which the public voice and report tells against the same, and we will the same to be observed in the provost, under the obligation of the oath of all of them given to our said college. For the aforesaid things, however, we do not intend to grant any other power to the aforesaid most reverend father the archbishop of Canterbury or the reverend father the bishop of Lincoln, or their commissaries, with regard to other things than those contained in our present statute and our other ordinances and statutes, in our said college of the persons of the same; or that they should be able or any of them should be able by reason of the jurisdiction which they have, or any of them has in the same or any persons of the same, to cite or have cited, or summon or have summoned, outside the said college the provost or any fellow, chaplain or clerk or other collegiate person whatsoever in the same, but so far as in us lies we take away entirely from them and each of them such power¹⁰² by the force of our present statute. We further ordain that the most reverend father in Christ the archbishop, when he shall make such his visitation in his own person, shall receive from the

102. potestatem in H. & W. L.O. has in before potestatem making nonsense

goods of our Royal College ten marks, or maintenance in food and drink for himself and forty persons and as many horses, at the election of the same provost and fellows of the aforesaid Royal College, and the aforesaid bishop of Lincoln, when he in his own person shall make such visitation, (shall receive) a hundred shillings or provision in food and drink for himself and thirty persons and as many horses, similarly at the election of the same provost and fellows of the aforesaid college. But when (the visitations are made) by their commissaries, one or several, the same commissaries or commissary are to receive forty shillings, or maintenance suitable for the same and seven in their retinue, at the election of the provost and fellows aforesaid by the hands of the bursars of our said college from the common goods of the same for all expenses and labours in this business undergone by the same or any of them. It shall be however that the said bishop of Lincoln shall not exceed such a sum of a hundred shillings, or his commissaries or commissary forty shillings in one and the same year on account of such an act of visitation, though it be exercised several times. And we strictly charge the consciences of the said most reverend and reverend fathers and their commissaries, before the All Highest, that in making and executing the foregoing, according to the teaching of the apostle they do not seek the things which are theirs but those which are of Jesus Christ,

and having only God before their eyes, favour, hatred and fear, prayer and price, colours, occasions and causes whatsoever being laid aside, diligently devote themselves to the office of inquisition, correction and due reformation, and fulfil it faithfully in everything, according and as they would answer before God in his last judgement. We further lay down that the provost of our said Royal College is in no way to seek, with regard to transgressions or offences detected against him and informed about in such visitations or inquisitions, to have a copy of such detected things that have been found, handed, given, issued or delivered to him or the names of those detecting or denouncing shown to him; nor are the findings and detected things themselves, or the names aforesaid to be given to the same, but upon such findings and detections he is at once personally to answer before the visitor or visitors, and is to undergo due correction for the same according to the exigence and tenour of our ordinances and statutes, omitting all manner of provocations, appeals, complaints and other remedies of law and fact, by which his correction or punishment might be deferred, or otherwise somehow prevented, unless action is being taken against the same provost by such visitor or visitors for his removal from office or deprivation of benefice or disqualification of the person of the provost aforesaid, in which cases we will that all legitimate defences shall be free for him notwithstanding any our ordinance aforesaid.

50. OF THE OATH OF CHAPLAINS, CLERKS
AND SERVANTS.

We lay down, ordain and will that from the chaplains there is to be elected each year by the provost, vice-provost and precentor, one to be succentor of the said collegiate church, who, in the absence of the precentor and especially on week days (ferialibus) by singing and chanting is to, and is bound to, repeat and otherwise to execute the office of cantor in the choir of the same in all and singular matters that pertain to the same office, whom we wish to receive each year 26s. 8d. from the common goods of our Royal College for his stipend and labour therein. We further ordain that the said stipendiary chaplains, school master and usher and all clerks of the collegiate church there, the boy choristers, 13 poor youths and boy commensals in the same, who have attained the fifteenth year of their age, and other officials and ministers of the said Royal College of whatever condition they may be, are to swear that they will in no case reveal the secrets of the said college, and if it happens that they know any perils, damages or prejudices that are coming to the aforesaid college or imminent, they are to announce and reveal them to the provost, vice-provost and bursars of our same college as quickly as they conveniently can without any delay whatsoever. And each of them is to swear that he will be obedient to the provost of the same Royal College and in his absence the vice-provost in their

lawful and honest commands, and that in any cause (his own personal cause alone excepted) he will not at any time ever be in opposition to our said college or the Royal College of the Blessed Mary and St. Nicholas of Cambridge in counsel or favour, word or deed, but will assist the same and each of them with his help, counsel and favour as long as he shall live in this world. We further ordain that the stipendiary chaplains and six clerks aforesaid shall swear that they will forewarn the provost of the said Royal College, or in his absence the vice-provost of the same, of their retirement from the same four months before their retirement unless some reasonable excuse shall excuse them in this matter, so that it may be possible for another suitable chaplain or clerk to be conveniently found for the place before the retirement.

51. STATUTES AND ORDINANCES
OF THE POOR MEN.

Since at the tribunal of the eternal judge at the last judgement the strictest account is to be exacted from all concerning works of mercy, and charity bids and compassion appeals¹⁰³ that the infirm poor of Christ be received into the house, and therefore our Royal College of the Blessed Mary of Eton near Windsor was founded in hope and also established not only for the increase of divine

103. interpellet correctly in L. O. interpellat in H. & W.

worship and of the clergy but for the succour of such poor and infirm men, we lay down, ordain and will that in a certain house specially appointed by us on the northern side of the collegiate church of our said college there shall always and continuously be poor and infirm men, who under the obedience and rule, tutelage and governance of the provost of our said college for the time being, and in his absence of the vice-provost, we will, lay down and also ordain are to live according as is more fully contained in the articles laid out below.

52. OF THE TOTAL NUMBER OF THE POOR MEN
AND OF WHAT KIND THEY ARE TO BE, AND
OF THE OFFICE OF THE SAME.

First we lay down, ordain and will that in the aforesaid house there are to be and to be always maintained 13 poor infirm men, not married, not touched with the taint of leprosy, lunatic, mad, epileptic, or dumb, or struck with any incurable disease (from which serious terror might be generated in others), all whom we intend to be old and decrepit men, or such young ones as through no fault of their own have been mutilated in any of their limbs or are so deprived of the right use of the same limbs that they are unable to acquire the necessaries of life for themselves by their own labour, nor from goods of their own or the bounty of their near ones nor from any other source are in any way able to be maintained.

We will that from their number one provident and discreet man is to be set over the others by the provost of our aforesaid Royal College, more apt and suitable in the opinion of the same provost for the purpose than the others, who is to be called the warden of the poor men. We furthermore will that he, at the pleasure, will and discretion of the same provost and whenever the latter thinks fit, may and must be removed from the said office. He is diligently to superintend the rule of the other poor men his colleagues, in what manner, to wit, they are to conduct and behave themselves, and observe our present ordinances in so far as they concern them, and chiefly that they are always to preserve decency in their garb and in the places and cells allotted to them and in their bedding, and he is to denounce their serious shortcomings, if he finds any, to the provost of our said college, or in his absence the vice-provost of the same, by whom they are at once to be corrected. And this warden, furthermore, every night before he goes to bed, is to see that all the other brothers are present in the said house, and also that the outer door of the same house is shut firmly and locked immediately after the eighth hour and that he has the key of the same door with him for the more secure preserving thereof till the morning. And we will that the door from the eighth hour of the evening shall not be opened until the hour of Matins on the day following except for a necessary, reasonable or honest cause to be approved by the provost of our college aforesaid, or in his absence the vice-provost.

53. OF THE ELECTING OF POOR MEN IN THE PLACE
OF THOSE LACKING, AND WHO ARE TO BE
PREFERRED.

Further, we lay down, ordain and will that as often as and when it shall befall that any or some of the said 13 poor men shall migrate from this light, or be removed from the aforesaid house from any cause described below, or any place of the number of the aforesaid poor for whatever other reason may be vacant, the aforesaid provost of our college, with the consent of the greater part of the fellows of the same to be called together specially for the purpose, or in the absence of the provost, the vice-provost with the consent of the greater part of the aforesaid to be called together as aforesaid, as soon as it can conveniently be done, within a month, in the place of one or more who has or have thus fallen out is to substitute another or others without delay so that the number of the same poor shall not long remain diminished. We further lay down that in every election to be made of poor men the aforesaid electors are to have due respect for the poor of their own parish, particularly if at any time they have been common servants in our aforesaid Royal College as well as for the poor parishioners and tenants in those places and parishes in which their spiritual and temporal goods thrive, and especially for those who have lost the temporal goods which they once had by fire, downfall, robbery, murrain of cattle, or other fortuitous reasons whatever¹⁰⁴, and labour from such poverty of family that

104. quibuslibet in L.O. quibuscumque in H. & W.

they are not able to maintain their poor life save by public begging. These, in every such election, provided they be of laudable and honest conversation and good report and are otherwise eligible according to the qualities described above and below, we wish to be nominated and preferred before others. And we strictly charge the consciences of the electors before the All Highest that they, in all such elections having before their eyes God, who in his own is received into a household, clad, fed and given to drink, all favour, hatred, love and partiality whatever being laid aside, and no attention being given to prayer and price, or instances and requests of anyone whatever, are to elect those only to the number of the aforesaid poor men whom, according to God, and their consciences, and to our intention described in those our ordinances, they consider suitable.

54. OF THE OATH OF THE POOR MEN ON
THEIR ADMISSION.

Further, we lay down ordain and will that each of the said poor men as soon as he shall be admitted to the said house, before he be served with anything of the goods of our said Royal College, as an admitted poor man, shall swear upon God's holy Gospels corporally touched by him that he has not of his own, or of the subventions of his friends, wherewithal to sustain sufficiently and maintain his poor life. Further, if he happens to know any secrets of our said college, he is not to reveal them to the damage of the same: and if he knows of any losses or scandals

that are hanging over the same college or the provost, vice-provost or any of the fellows of the same or any other person within the same, he is to prevent them if he can and have them prevented by others, and if he cannot prevent them he is to announce as quickly as he can to the said provost or vice-provost or other person the thing that touches him. He will further swear that he will be obedient to the provost of our college aforesaid for the time being, and in his absence to the vice-provost of the same, in their legitimate and honest commands whatsoever, and will observe the statutes and ordinances of the said house of poor men issued and to be issued by us, as far as they concern himself, and will labour for the same to be observed by others, and will faithfully preserve to the use of the said Royal College or house both the goods of the same college and those of the aforesaid house, committed or to be committed to the same and which in any way may come into his hands except those which shall have been given and delivered to himself for his sustenance. And further with regard to those goods which he brings in¹⁰⁵ with him into the same house, and those which he may acquire after his admission and those which may come to him in any way by just title, he is not to make other than a modest outlay; and if there are any residues at the time of his death he is to hand them over fully to the common use of the said poor men without any diminution whatever, except for the costs

105. inferet correctly in L.O., inferit in H. & W.

and expenses of his burial which however we wish to have done with the supervision and advice of the provost, or in his absence the vice-provost of our said college. We further will that immediately after the said oath every one of them upon the force of the oaths is to renounce the making of all wills or codicils which we altogether prohibit for them and every of them in virtue of our present statute sworn to by them.

55. OF THE HABITS AND GARB OF THE
POOR MEN.

Further, we lay down, ordain and will that none of the said poor men is to pass the outer door of the said house into the town or the collegiate church or our aforesaid college or other places whatever without a tabard of black russet which is to descend below the knees and almost to the ankles, above which a hood of the same kind is to be worn; nor within the same house is any of them to make use of other garments, to wit, gowns, tunics, hoods or hose, except only of such russet or cloth of a black colour. However, we allow the said poor men to line their aforesaid clothes with cloth or lining of another colour, providing only that such lining¹⁰⁶ or edging does not show too much outside; and each of them is to have a cross of white cloth sewn¹⁰⁷ onto his tabard on his chest on the right side, according to the form we have recently had

106. duplicatura in L.O. has been changed to duplicare.
In H. & W. duplicatura.

107. Consutam in L.O., consuetam in H. & W.

recommended to us. We will, furthermore, that everyone to be admitted to the number of the poor men aforesaid is to have, and bring with him from his own goods a bed in which he is to sleep, to wit, at least one pair of blankets, one pair of linen sheets, and one coverlet with a pillow, and one tabard, with other garments suitable to his poor condition, unless perchance there be someone to be introduced so poor that he is unable in any way to provide himself with the foregoing, in which case we will that such a one is to be helped from such things as have been left behind by the poor men themselves, when they die,¹⁰⁸ until he himself or his friends are able to command such things. We further lay down that each of the poor men aforesaid is to have towards the feast of Christmas every year four yards of cloth of black russet for making for himself a tabard and hood for the same feast, the price of a yard sufficiently soaked and shorn, being two shillings which each is to receive by the hands of the bursars from the common goods of our college each year, beyond what each of them will otherwise receive.

56. OF THE PRAYERS AND ORISONS TO
BE SAID EVERY DAY BY EACH OF
THE SAID POOR MEN.

We further lay down, ordain and will, that each poor man to be introduced into the said house is from the beginning at least to know by heart how to say and sing, at least in the manner of a layman, the Lord's Prayer

108. Decedentibus in L. O. Decentibus in H. & W.

with the Angelic Salutation (Ave Maria) and also the Creed, or at least is to promise to use such common diligence in learning the aforesaid and singing them within a term to be calculated continuously from the time of his introduction, upon pain of perpetual expulsion which, if he does not thus know the said prayers within the said time, we intend that he shall thereby incur. We further will that each of them every morning when he rises from his bed, after signing himself with the cross, before occupying himself with other things, is to say in honour of the five wounds of Christ five times the Lord's Prayer, and in honour of the five joys of the Blessed Virgin similarly five times the aforesaid Angelic Salutation, with one Creed following; and again the same number of times in the same form we will them to say the same every night, they and each one of them, before they go to their beds kneeling beside their beds, except for a reasonable cause to be approved by the judgement of the provost of our said college or in his absence by the judgement of the vice-provost. And when they have thus risen from their knees, at once at the last ringing of the bell for Matins and at its beginning or thereabouts,¹⁰⁹ all the said poor men, save for a legitimate cause, are forthwith to go into the nave of the church, and there in the stalls before the image of the crucifix are to say, at the time in which Matins are being said, devoutly in

109. in initio equidem vel prope in L. O. H & W has ejusdem for equidem. Scheiler's Lexicon Totius Latinitatis, translated into English by J. E. Riddle (Oxford 1835), which is the Latin Dictionary used by the present translator, gives for equidem, 'at least, truly, indeed'; but observes 'it often seems incapable of translation, at least its precise signification is often uncertain, and the sense loses nothing if it be not translated'. It has been rendered here as 'forthwith'.

remission of those things which they have done against the ten precepts of the Decalogue, the Lord's Prayer ten times, repeating after each such prayer the Angelic Salutation, after which they are similarly to say, before the time of high Mass in the church or the cemetery or the cloister of the same, in remission of the sins they have committed by abuse of the five senses, the aforesaid prayer five times adding after the several prayers aforesaid ten Angelic Salutations, with one Creed at the end for confirmation of the Christian faith, so that in the time in which Matins and the other Hours are being said, or altogether before high Mass, they are to say the complete Psalter of the Blessed Virgin by always counting in that psalter fifteen Lord's Prayers and a hundred and fifty Ave Marias and beyond that one Credo. And we will that beyond the aforesaid one psalter they are similarly to say within the church, cemetery or cloister aforesaid, all of them on every day at the time of high Mass, Vespers and Compline and at other hours and times of the day most convenient to them for the purpose, two other Psalters of the Blessed Virgin, so that in all every day each of the said poor men is to say three times in honour of the holy and undivided Trinity the Psalter of the Blessed Virgin. But if any one of them knows how to and is able to read and say the Psalter of David, the Hours of the Blessed Virgin, the seven penitential psalms with the fifteen psalms of Degrees and the common Litany, or the Exequies of the dead with commendations of souls, we will that on the day on which he shall say one

night office from that psalter, or all the Hours of the Blessed Virgin or the seven penitential psalms with fifteen psalms aforesaid and the common Litany, or the Exequies of the dead with Commendations of souls, he is to be excused from the two Psalters of the Blessed Virgin otherwise to be said by him on that day as aforesaid. We further lay down that if any of the aforesaid poor men perchance through ill health or other reasonable cause to be approved by the judgement of the provost, or in his absence of the vice-provost, is unable to go out from his¹¹⁰ said house conveniently, it is our strict intention that he shall say all and singular the aforesaid within the said house alone, unless his infirmity or other reasonable cause be such that he is quite unable to say the same, in which case we do not wish in any way to compel him to the saying of the same. We lay down that on every day of such infirmity on his part one of the chaplains, allocated by the provost, is to celebrate Mass in the same house at the altar which we have there had constructed for the purpose. We further will that if any one of them perchance through occupation with secular matters or from other negligence or from any slight fault, does not say on his day (what he should say) from the said prayers, on any other day following he may and must say and fill up what has thus been omitted, in which we strictly charge the consciences of them all before the All Highest.

110. suum in L.O., suam correctly in H. & W.

57. THAT THE SAID POOR MEN ARE TO OBEY THE PROVOST, AND IN WHAT MANNER OTHERWISE THEY ARE TO BEAR THEMSELVES IN THEIR BEHAVIOUR.

In addition to the foregoing, we lay down, ordain and will that all and singular the said poor men are reverently to obey the provost of our college, and in his absence the vice-provost of the same, in all legitimate and honest matters and particularly in all things which in any way concern the utility and honour of our said Royal College or our present ordinances; and are obediently to undergo, as is fitting, the due corrections inflicted by the same provost or vice-provost on them or any one of them for their offences. And when they go out of their house they are to carry their ^{6c}beds with them in their hands or around their neck or at their girdle. And in the collegiate church there at all times at which divine offices are being celebrated in the same, and especially while Matins, high Masses, Vespers and other Hours of the day are being said, as well as at the time in which at the end of each day the Antiphon of the Blessed Virgin is being chanted, they are to enter into the contemplations and other prayers by saying therein the things that are to be said by them. Nor are they to presume to be present elsewhere within a mile of the said college at divine services. Also they are to abstain from inordinate laughter, chatter and all ~~sin~~ and other kinds of unseemliness whatever, nor are they to walk or wander in the ~~town~~ in any way at those times, or at other times except for a reasonable and honest purpose; they are in no

way to frequent taverns or to play at hazard or dice. Further, they are always and in every place to abstain from all evil speaking, oaths and perjuries, quarrels, contentions and drunkenness, nor are they to beg in the neighbourhood, or the town or the church itself or elsewhere, or solicit or receive anything from another by begging, unless perhaps something is given in alms by somebody to them in common or freely, to one of them, which he in no way has asked for by begging; nor are they to pursue any manual labour or art for the sake of gain; but as poor almsmen they are to study to serve God alone devoutly in prayers, vigils, fasts and contemplation.

58. OF THE PROVISION WHICH THE SAID
POOR MEN ARE TO RECEIVE FOR THEIR
LIVELIHOOD FROM OUR SAID COLLEGE.

Further, we lay down, ordain and will that whereas it is laid down above that the said poor men must not beg for anything from anybody, for the weekly commons of each one of the same twelve pence from the common goods of our Royal College are to be delivered by the hands of the bursars at the beginning of each week to one suitable servant of the same, whom we wish to be provided by the provost, or in his absence the vice-provost of our college, to buy, order and prepare whatsoever victuals are necessary for the poor men and duly to serve the same victuals to the same in the common hall ordained specially by us for the same poor men within the said house of the poor; for the

salary of which servant, together with his annual livery which we will him to have as that of the yeomen there, we wish them to be satisfied from the common goods of the same our Royal College aforesaid. We further lay down that in the summer two cart-loads of fire wood are to be provided from the common goods of our same college by the bursars for each of the said 13 poor men, each separate cart-load as much as five common horses can well draw, which similarly at the cost of our college are to be put within the close of the same. And each of the same poor men is to receive for his remaining necessaries twenty shillings yearly in money to be paid faithfully to him at the four terms of the year by the hands of the bursars from the common goods. Furthermore the aforesaid poor men are to have in the entrance of their house, or in some other place suitable for the purpose to be allocated according to the advice of the provost of our college, a chest of iron with a money box and locked with two locks, in which gold or silver is to be placed given to the said poor men, or bequeathed or in any other way conveyed to the same in common, more securely to be kept there to the end of the year. The vice-provost of our said college and warden of the aforesaid poor men are to have between two keys of the said money box, and we will that every year at Michaelmas they are to open the same box, or within fifteen days before or after that feast, and anything found therein is to be divided, all of it, equally at once among the same without delay. We further ordain that always and continually there is to be a woman of good fame and untarnished reputation who

is to wash the clothes and habits of the said poor men, and is diligently to attend to the same poor men when they shall happen to be sick and ailing, whom however we intend to dwell and pass the night altogether in the town of Eton and not in the said house, and her salary similarly is to be found from the common goods of our college.

59. FROM WHAT CAUSES THE SAID POOR MEN ARE TO RETIRE FROM THE SAID HOUSE OR PERPETUALLY BE REMOVED.

Further we lay down, ordain and will that if any of the said poor men shall contract marriage, or if by inheritance or otherwise such an income or pension spiritual or temporal shall come to him as will suffice for him to be otherwise maintained conveniently, we leave the matter solely to the discretion of the provost and vice-provost of our same college; or if any of the same poor men commits voluntary homicide, notorious theft, manifest perjury or adultery, or shall have an evil repute for any of the graven crimes on account of which serious scandal may arise for our said Royal College, and he shall be convicted thereof before the provost and vice-provost, then he is to be altogether removed from the said house of the poor men and from the number of the same by the aforesaid provost, and expelled for ever. But if any of the same poor men have committed any of the lesser crimes, such as having been mendacious, swearers, drunken, quarrelsome, insolent, whisperers, deceitful or defamers of

others, disobedient or vagabonds, transgressors or contemners of our present statutes, or otherwise in whatever way have been lightly delinquent, then they are to be sharply rebuked by the provost, or in his absence by the vice-provost, and otherwise to be punished according to the judgment and discretion of the same provost or vice-provost. But if after being thus punished for such crimes and delinquencies they are not drawn to due emendation but multiply them, then we will that by the withdrawal of their distributions, according to the disposition of the provost, or in his absence the vice-provost, they are more and more severely to be punished. But if anyone of the same at length appears quite incorrigible, then we will that he be utterly expelled from the aforesaid house without hope of returning. And if any one of the same poor men falls into any perpetual contagious ailment so that his living together in the said house with the other poor men would be for them an unbearable terror, we will that he is to live outside the said house altogether elsewhere in a place that he must find for himself, and we will only that for all the livelihood and maintenance of such an invalid twelve pence are to be delivered by the bursars of our said college each week at least at the end of each month. In addition we lay down that if any of the poor men aforesaid absents himself from the said house, beyond fifteen days continuous in one year, or discontinuous at interpolated times, without legitimate cause to be approved at the discretion of the provost and

vice-provost, then we decree him thereby deprived of the state which he had in the said house. We allow however that in one year the aforesaid poor men may be absent up to fifteen days with the licence of the provost, or in his absence of the vice-provost, but for a reasonable and honest cause, and no longer, except for an urgent and necessary cause to be approved by the judgement of the provost, or in his absence of the vice-provost.

60. OF GIVING HOSPITALITY, ETC.

Furthermore, since in God's poor received into a household God, according to the Evangelist himself, is received, and Christ himself the Son of God in the flesh was received, we read, into a household, we lay down, ordain and will, that in one other house which we have had built and furnished next the house of the poor men of the same collegiate church for the purpose, there are always and continually to be five suitable beds for poor strangers and pilgrims, whom by the authority and order of the provost of our same Royal College for the time being, or in his absence of the vice-provost of the same, we will to be received therein to the number of ten to lodge for one day and one night and no more, unless one of those who shall there be thus lodging shall for the time chance to be so ill that he cannot thence be conveniently and decently removed. For the bedding of those thus admitted and lodged and the cleaning and washing of

their clothes as well as their food and drink meanwhile we will that provision be made from the common goods of our said Royal College, as long as they shall stay in the aforesaid house by the authority of the aforesaid provost and vice-provost. But we are unwilling by this present statute that the said provost or vice-provost should be constrained to be obliged to receive to lodge therein any common beggars, unless perchance in some case the sole reason of compassion may induce them thereto, in which case however we leave the matter to their discretion.

61. THE END AND CONCLUSION OF ALL
THE STATUTES.

Although, moreover, in our times we have seen in what manner in many places rules, institutions and statutes are not observed as they should be by those who profess them according to the intentions of founders, yet we, firmly hoping that educated men, knowing God's law, having God before their eyes and seeing his will before others more clearly in the observing of rules, ordinances and statutes provided for¹¹¹ them, have confidently thought to commit to them this our present Royal College, to be governed according to the same rules, statutes and ordinances. And because those things which are said at the end, as being more sharply impressed, are wont to commend themselves more to the minds of men, and wishing to establish and fortify more strongly and firmly the same statutes, rules and ordinances with royal authorities and

111. contradita in L.O., tradita in H. & W.

and commands frequently repeated, and lest (may it not happen) in the same ordinances and statutes, as we have seen happen already in others, guile and deceit may enter in the future, at the end of all our statutes by this edictal law to be valid in perpetuity we ordain and lay down under pain of the anathemas and indignation of almighty God, with the strictest prohibition, that none of the priest fellows or scholars of our said college, of whatever state, grade, knowledge, faculty or office he may be, for his own pleasure, hatred or other cause or occasion whatsoever, is to affirm, construe or defend anything contrary or adverse to the sense of our intention in our ordinances and statutes as aforesaid, by the provocation of a sinister interpretation or persuasion by any colour of words, or art or ingenuity, an occasion having been given, procured or obtained, or in any other way by himself or anybody else whatever is to procure that it be construed, interpreted or affirmed from whatever cause otherwise than according to our intention. But if anybody, under persuasion of the old serpent, shall stubbornly presume to attempt anything against the foregoing in word or deed, if he shall be convicted thereupon by suitable witnesses, he is to be utterly expelled from our said Royal College without hope of return, as a perjurer herein, other punishments above imposed in such a case to remain in force as well. It is our will at the same time, that notwithstanding such our ordinances and statutes made and, as aforesaid, to be made in future, and notwithstanding other things whatsoever, we shall in our time have the free faculty of adding to our present ordinances

and statutes, also of removing them in whole or in part, reducing, changing, declaring, interpreting, correcting and making anew other ordinances, and dispensing with and upon the same and against them for the whole time of our life. Also by the tenour of the present we lay down, ordain and will that in no manner nor at any time is it to be lawful for any of our heirs or successors, kings of England, or for the bishop of Lincoln for the time being, or for any other bishop or archbishop whatsoever, after, when it shall please God, we have been withdrawn from this light, nor for the provost or fellows of our college aforesaid, who now are or shall be, in a collegiate manner, communally or severally, nor for anybody else of whatever dignity, state, grade or condition he may be, to issue, frame, ordain, lay down or dictate any other new statutes or other ordinances, rules, constitutions, interpretations, changes, injunctions, declarations or other expositions to our present ordinances and statutes now¹¹² issued by us, or in future to be framed, or to the same and plain understanding of the same, repugnant, derogatory, discordant, contrary or diverse, nor is it to be lawful for them or any one of them to infringe the foregoing under any colour whatever, or to take away or change the tenour or substance of any statute, or to make any kind of dispensation with regard thereto. And we will that there shall be no derogation in any way of the intention or words of our said statutes or ordinances through any disuse, custom

112. iam in L. O., nunc in H. & W.

or abuse or other¹¹³ occasion whatever. We are further unwilling that any interpretation be made of the same, or about the same, save according to the plain sense, in conformity with the understanding and grammatical and literal exposition best and most aptly agreeing with¹¹⁴ the case or pretended doubt concerning which a question is being raised. Also we forbid, specially and expressly laying it down and ordaining it, and under the penalty of divine judgement we prohibit the provost of our said Royal College, and provosts and fellows and scholars of the same all and singular, present and future, and in virtue of the oath given by them and each one of them to the said college we admonish and exhort¹¹⁵ them, from accepting or having made, in a collegiate manner, communally or severally, any other ordinances or statutes, declarations, interpretations, changes, injunctions, expositions or glosses, to our present ordinances and statutes or to their same and plain, grammatical and literal understanding in any way adverse, repugnant or derogatory, unless issued by ourselves, or from using the same, publicly or secretly, directly or indirectly. And if contrary to the foregoing or contrary to our intention in the foregoing or in any thereof, some thing or things by some person or persons

113. aliam correctly in L.O., alium in H. & W.

114. applaudantem in L.O., applaudentem in H. & W.
It seems that the normal meaning of applaudo has to be somewhat stretched here. The word applaudentem goes back to the Winchester Statutes no. 46.

115. hortamur correctly in L.O., hortemur in H. & W.

(and may it not happen) may happen to be laid down, ordained, done or dictated, or some dispensation to be knowingly or ignorantly granted, we declare the said provost and provosts, school master, usher, fellows and scholars and clerks of our said college, from all and singular of whom we take away every and all manner of power in the matter, not in any way to be bound or obliged to the ~~o~~bservation of such things, but we declare them void utterly and will that they are to lack all strength of authority; and the other penalties inflicted above in this case are none the less to remain in all their vigour.

We further lay down that if perchance (which God forbid) the malice of the times should increase and by fortuitous events the possessions, rents and spiritual and temporal issues of our said college should decrease to such an extent that ~~they~~ are not sufficient for duly supporting all the burdens incumbent on our said college according to our present statutes, then the commons of the fellows and school master are to be reduced to the sum of 14d., of the chaplains, usher and gentlemen clerks to the sum of 12d., and the commons of the scholars, choristers, clerks, poor infirm men, yeomen and other servants whatsoever to the sum of 8d., nor during such malice is an ampler sum in any way to be paid for the weekly commons of any one of the same. Then if after such subtraction

the said rents and issues are not sufficient for the other burdens of the college, we will that then the sums of money for their pittances in hall laid down above are to decrease. And then, if necessity demands, all and singular portions both of the provost and all the fellows to be paid to the same provost and fellows yearly, as laid down above, are to decrease, a fourth part actually being withdrawn from their several portions both from the provost and from the fellows aforesaid and each one of them. If, then, after the withdrawal of such fourth part, the issues and rents aforesaid do not suffice for all the other burdens then incumbent upon our same college, from the said several residual portions a third part is to be withdrawn both from the provost and each of the other fellows of the same college. And subsequently, if such issues and rents still decrease so that even after the said reductions they are not sufficient, we will that every livery of clothes, of which in our statutes and ordinances mention is made above, is similarly to be withdrawn from the provost, the fellows, the school master, the chaplains, the usher, the clerks, the scholars, the choristers, the 13¹¹⁶ poor youths and the infirm men. But if the said possessions, rents and issues still are not sufficient, then we will that the commons of the fellows and school master are decreased to the sum of 12d., of chaplains, usher and

116. xiii in L. O., xii in H. & W. In L. O. the word juvenibus has been written in over an erasure.

gentlemen clerks 10d., and the commons of scholars, clerks, yeomen and other servants whatever to the sum of 7d; nor during such a time of misfortune is a larger sum to be paid for any one of them in any week for the commons of any of them from the common goods of our said college. And further, if urgent necessity demands it, we will that for the provost and several fellows aforesaid their said portions are to be reduced to a fourth part of each of the same¹¹⁷.

From the portions of the school master, usher, chaplains, clerks and other servants whatsoever, we will that so long as the necessities and abstinences aforesaid shall last so much is to be withdrawn from time to time as can reasonably be agreed thereon between the provost and chaplains, clerks and servants. Lastly, if after the subtractions of all the aforesaid portions, such misfortunes shall still increase (and may it not happen) and the aforesaid number of fellows, school master, chaplains, usher, clerks, scholars, choristers and poor men shall not then be able conveniently to be maintained from the rents and produce and issues of the possessions of our said college as they then are, we allow that then¹¹⁸ and not before recourse may be had to a diminution of the numbers established in our college. And first we will that the number of poor men be decreased and subtracted; and next¹¹⁹, the four gentlemen clerks; and afterwards the number of chaplains and other clerks; and then the 16 choristers¹²⁰; and at length and lastly we allow

117. This sentence has been underlined in L.O. And see under Additions by the Founder, Stat. 64.

118. tunc in L.O., nunc in H. & W.

119. between et subsequenter and quatuor generosorum clericoram in L.O. there has been an erasure.

120. see under Additions by the Founder, stat. 64.

them to come to the number of fellows and scholars aforesaid. To such a reduction we will that they proceed as follows, to wit, after the subtraction and diminution of seven scholars, one only is to be subtracted from the number of fellows, with the proviso that a beginning be always made from the juniors, that is to say that in every reduction to be made of fellows or scholars he first is to be subtracted who has been for the least time in the number of fellows and scholars aforesaid. But we always will, lay down and ordain this, that in the cases of the aforesaid diminutions of numbers, not all at once who are of one number are to be subtracted but only as many as necessity and the genuine lack of supplies absolutely exact and demand to have to be diminished and subtracted. We ¹²¹ further will that when the number of chaplains and clerks in the aforesaid case have been removed, the fellows of our said college on every weekday (feriato) are to say without note all the Canonical Hours of each such day in the choir of the collegiate church there and the high Masses on all such weekdays, and Vespers in the time of Lent, and on the four feasts of the Doctors of the Church, and St. Augustine apostle of the English, and similarly on all weekdays (feriatis) to which the feast of the Annunciation or Conception of the Blessed Virgin, or any other double feast is transferred, they are to chant there with note Vespers, Matins and Compline, the Offices and Masses of such days in turns among the same, as often as need shall be, with a convenient number of scholars according to the discretion of the

121. see under Additions by the Founder, stat. 64.

provost if he is present, or in his absence the vice-provost, in our said college.¹²¹ We ordain and lay down that if with the ending of the aforesaid necessities and misfortunes times are changed for the better, and the possessions, rents and issues of our said college by the grace of God once more¹²² receive happy increments, according to the growth thereof the aforesaid number thus, as aforesaid, to be diminished in the said cases, in that order in which it was diminished, beginning with, and in order of, those who had last left the same (college), is to be increased and expanded: and otherwise in all things they are to receive as before. We further declare that those who have been sworn to the observation of our statutes and ordinances and have been delinquent in the same or in any of them, are not to be guilty of perjury unless that is specially threatened in the same ordinances and statutes but a punishment be set¹²³ that is specially expressed in our statute, or if there be no punishment expressed in the statute, then if there is no mention in the said statute of the manner of adjudging ~~or~~^a punishment, they are to be punished only with a punishment to be imposed by the judgement and arbitrament of the provost or in his absence of the vice-provost; unless they shall condemn the fulfilling of the penalty thus inflicted on them by the statute or, as aforesaid, to be inflicted by the judgement of the provost or the vice-provost for then we will and lay down

121. see under Additions by the Founder, Stat. 64

122. iterato in L.O., inferato in H. & W.

123. apposita in L.O., opposita in H. & W.

that those who contemn them and each of them shall similarly incur forthwith the guilt of perjury. Hence we lay down that in the several chapters and articles of our statutes in which a certain punishment shall not have thus been expressly set by us, only if there be no such mention in the chapter or article of the manner of fixing a punishment, the provost of our Royal College, or in his absence the vice-provost, by his judgement and arbitrament may be able to set the punishment for anyone who is a delinquent against the same, which every such delinquent by virtue of the present statute is to be obliged to undergo and complete. Further we declare that wherever in our statutes and ordinances aforesaid mention is made of seniors, we wish seniority to be understood not as seniority in age but only as a more lasting and longer residence or stay in our said college.

The present rules, ordinances, constitutions and statutes, thus issued by us to the praise and glory of God and of the most Blessed Virgin Mary and the increase of divine worship and the growth of scholarly study, as well as the advantage and ornament of the aforesaid Royal College, we wish to be valid and to last for perpetual times and to have the force of unchangeable stability.

These things having thus by the grace of God been soundly ordained, according to the instruction of Christ, such as he gave to his disciples, we commend to the provost of our said college and the fellows and scholars and all others dwelling in the same, the service of God and the bond of perfect charity. AMEN.

ADDITIONS BY THE FOUNDER.

62. OF THE OATH OF THE FELLOWS
 ON THEIR ADMISSION BEYOND

 WHAT IS ENJOINED IN THE
 STATUTES ABOVE.

Further, we lay down, ordain and will that every fellow on his admission to our Royal College aforesaid is to swear that he will not favour the condemned opinions, errors and heresies of John Wycliff, Reginald Pecok or any other heretic, as long as he shall live in this world under the penalty thereby of perjury and expulsion.

63. THAT ALL FELLOWS MADE BISHOPS
 ARE TO BE PRESENT IN THE COLLEGE
 OF ETON ON THE FEAST OF THE
 ASSUMPTION OF THE BLESSED
 VIRGIN MARY.

Further, that on the feast of the Assumption of the Blessed Virgin Mary, if I am within the Kingdom of England, I will be present in person in the Royal College of the Blessed Mary of Eton if in the future I shall have been promoted to the episcopal or archiepiscopal dignity, unless for reason of infirmity I shall be prevented, or of being on an embassy, or of the coronation of kings or queens.

64. OTHER PROVISIONS ON THE DEFECT
OF THE COLLEGE REVENUES,
ESPECIALLY CONCERNING THE
PORTIONS AND DIMINUTION OF
THE PERSONS OF THE SAME COLLEGE.

(Much of Statute 61 is here repeated word for word, viz. from the paragraph starting We further lay down that if perchance (which God forbid), Statuentes nihilominus quod si forsan (quod Deus avertat)¹²⁴. The material alterations are as follows:)

(note 117) Omission of We will that for the provost and several fellows aforesaid their said portions are to be reduced to a fourth part of each of the same¹²⁵.

(note 120) Replacement of And first we will that the number of poor men be decreased and subtracted; and next the four gentlemen clerks; and afterwards the number of chaplains and other clerks; and then the 16 choristers¹²⁶ by And first we will that the number of poor men be decreased and subtracted; and next the number of chaplains, clerks and choristers be decreased, with the proviso that there are always to be at least four chaplains and four clerks of whom one should be knowledgeable of organs and eight choristers attending to the devout celebration of divine services.

124. H. & W. p. 615, li lines from end of page

125. -do- p. 616, 5 lines from end of page, Volumus to decrescant: end p. 621, line 13.

126. -do- p. 617, line 12 Et primo to choristarum: and p. 621, line 9 from end of page Et volumus to celebrandis.

(note 121) Replacement of We further will that when the number of chaplains the vice-provost, in our said college¹²⁷

by We further will that after the number of chaplains, clerks, and choristers in the aforesaid case has been reduced to the number aforesaid, when the said chaplains, clerks and choristers in such a reduced number are not sufficient to the celebrating of divine services according to our present statutes, then the fellows of our said college together with the chaplains, clerks and choristers thus remaining on each weekday throughout the year are devoutly to celebrate and chant Vespers, Matins, Masses and other Canonical Hours of such days in the collegiate church of our said Royal College of Eton, according to the use and custom of the cathedral church of Sarum and according to the section and ordinance above appointed.

(From this point Statute 64 no longer nearly follows Statute 61, but concludes as follows)

Furthermore if perchance (and may it not happen), after we have migrated from this light, the work of the building of our said college shall not be completed, nor shall the means be able to be had conveniently from elsewhere than the goods of the same college, by which the said work may be brought to perfect consummation according to our intention and will, then we lay down and will that first and

127. H. & W. p. 617 8 lines from end of page volentes to p. 618 line 7 collegio memorato: and p. 622 line 10 volentes to line 22 annotatas.

before everything a sum of four hundred or at least three hundred marks from the revenues of the spiritual and temporal possessions of our college shall each year be applied to the works of the said building, until they are completed according to our intention and will. In such a case, because the residue of the said revenues and possessions of our said college will not suffice for supporting all the burdens incumbent on the same, we will that subtractions and reductions be made according to the manner and order expressed above. And to the observance of this statute we will that the provost and several fellows of our aforesaid college be bound under the pain of perjury. We ordain and lay down that if with the finishing of the works of the said building and the ending of the aforesaid necessities, misfortunes and cases, times are changed for the better and the possessions, rents and issues of our said college by the grace of God once more receive happy increments, according to the growth thereof the aforesaid number thus, asaforesaid, to be diminished in the said cases, in that order in which it was diminished, beginning with, and in order of, those who had last left the same (college), is to be increased and expanded; and otherwise in all things they are to receive as before.

(Statute 64. H. & W. p. 621 line 6 has viid., L.O. xiid.
H. & W. p. 621 line 20 has correccently ~~sen~~ sen
necessitatibus as in L.O. Statute 64 but
lacks the words in Statute 61).

LETTERS PATENT OF KING HENRY THE SIXTH
 CONCERNING THE DECLARING, CORRECTING
 AND REFORMING THE STATUTES AND
 ORDINANCES, ETC.

Henry by the grace of God king of England and France and lord of Ireland, to all to whom the present letters shall come, greeting. Know ye that we have applied ourselves to the fulfilling of our intention concerning and in the foundations of our Royal Colleges of the Blessed Mary and St. Nicholas of Cambridge and of the Blessed Mary of Eton by Windsor, and many good and notable statutes and ordinances exist for the sound rule and government of our same colleges, which have been issued, founded, ordained and laid down by us, as is well known; and though the aforesaid ordinances and statutes in themselves appear to be very necessary and opportune for such rule and government, yet it now seems and is found by the execution of the same ordinances and statutes that there is some need of the reformation of the same and they could be made more perfect for the fulfilment of our said intention; and therefore, because we are so busily occupied with so many and great other necessities concerning the rule and government of our Kingdom of England that we are not able continually to give our attention to fulfilling our purposes concerning the reform of defects, where necessary, contained in the aforesaid ordinances and statutes, we by our special grace have committed and by the tenor of the present commit to our reverend fathers in Christ William, bishop of Winchester, and John, bishop of Lincoln, our power and authority in this

matter, that they by the advice and counsel of the provosts of our said colleges, when it shall seem necessary or in any way opportune for them, are herewith to declare, correct and reform the said ordinances and statutes during our life, to the honour of God and the said most glorious Virgin Mary his mother, and to the welfare and perpetual stability of our aforesaid colleges. In testimony whereof we have made these our letters patent. Witness myself at Westminster, the twelfth day of July in the thirty third year of our reign (12 July 1455)¹²⁸.

Declarations, corrections and reformations of the ordinances and statutes of the Royal College of the Blessed Mary of Eton by Windsor, by the lords bishops, William of Winchester and John of Lincoln, by the authority committed to them of the founder of the same college, with the advice and counsel of the provosts both of the said Royal College of the Blessed Mary of Eton aforesaid and of the Royal College of the Blessed Mary and St. Nicholas, made in the form which follows:-

1. First, the said College of the Blessed Mary of Eton is not to be constrained in any way in future to any burdens; nor are the provost and college of the Blessed Mary of Eton aforesaid, nor their successors, to be constrained in anything beyond what the annual proceeds of the same college can conveniently afford, notwithstanding any statute or ordinance whatever previously issued by the said founder of the same college.

128. H. & W. has vicesimo tertio, i. e. 1445

2. Further, that any said provost of Eton whatever in perpetual future times may be able for the good and honour of the said college and his own to hold together with the provostship of the college aforesaid¹²⁹ any ecclesiastical benefices or spiritual offices whatever, one or more, so long as they shall not be such as exact by any oath corporal residence continually in the same.¹³⁰

3. Further, since divers statutes and ordinances issued by the said founder, both¹³¹ on account of loss and removal of the possessions and revenues of the said college and¹³¹ on account of various dangers and losses which are likely to befall¹³² to the said college and the persons of the same, are not able to be observed conveniently^h the same, we declare and will that those who have sworn to the¹³³

observation of the statutes and ordinances of the said college, and are at fault in regard to the same or to any of them, are not to occur the guilt or penalty of perjury in any way, but the penalty of perjury everywhere to be incurred from the said statutes is to be converted, if it be a question of the perjury of any fellow, the school master or a chaplain, into a penalty to be adjudged by the provost of the said college and the greater part of the fellows, but if it be a question of the perjury of the said provost into a penalty to be inflicted at the discretion of the lord bishop of Lincoln for the time being; notwithstanding any statute or ordinance issued by the said founder to the contrary.

129. predicti in L. O. agreeing with collegii, not as in H. & W. predicta agreeing with prepositura.

130. This sentence amends the last clause in Stat. 28.

131. tum... tum in L. O., tum... cum in H. & W.

132. evenire in L. O.

133. jurati ad observationem in L. O. In H. & W. ad is lacking.

h by /

4. Further, in the rubric of the statutes of the said college,¹³⁴
For what reasonable and honest causes the perpetual fellows
must finally retire from the said college, we declare and
will that ~~that~~ statute which ^{is} ~~beings~~, We furthermore will that
none of the aforesaid fellows ever at any time, etc., until
the end of the same statute, shall be henceforth of no force
or moment.

Introduction

The records listed in this volume are what might be described as central records of the College – the minute books, the registers, the statutes and similar material, generated directly by the Provost and Fellows and the New Governing Body. There are, however, equally central records listed elsewhere. The Foundation and Consolidation Charters, and other royal charters, were listed by Noel Blakiston as ECR 39. He included other central records, particularly relating to the building of the College, in ECR 38 and ECR 49. Accounting records to 1642, including the audit rolls up to 1505, when they were replaced by books, are listed as ECR 61 and later accounting records as ECR 62. Papers produced by individual Provosts, Vice-Provosts and Fellows (though there are very few of this last category) will be found as COLL/P, COLL/VP or COLL/FELL as appropriate. The papers of officers such as the Bursar (COLL/B), Registrar (COLL/REG) and other College servants are also separately listed.

The catalogue of the College's archives (now COLL/ARCH/1) compiled in 1724 by Thomas Martin (1697 – 1771) mentions the central records that existed at the time but does not list them individually. Binding, indexing and annotation of the registers in particular show clearly that their importance and value were recognised. Seal books, minute books and lease books were also carefully preserved. However, unbound papers were less well served by a storage system that was essentially organised by estate and were allowed to accumulate in considerable confusion until very roughly sorted by Noel Blakiston into boxes covering ten year periods. Provost Marten removed some items to the Provost's Lodge and although they were eventually returned to the strong room they remained separate. There was therefore little to go on when trying to recreate the original order (described indeed by Provost Hawtrey as 'a system of higgledy-piggledy') and the arrangement is largely artificial. Some items relating to resumptions were found among estate records by Noel Blakiston and catalogued there but they have been noted in the appropriate place here for the sake of completeness.

Noel Blakiston worked principally on the records of individual estates, producing a series of typescript volumes, one per estate or group of estates. His final volume, ECR 58, was a translation of the Statutes. The College's first full-time archivist, Patrick Strong, continued the series to ECR 65, but although he left some drafts for ECR 60 he never completed it. I have drawn gratefully on his work.

Historical background

The foundation charter (ECR 39/3) envisaged a college of a Provost and ten priests, four clerks, six choristers, twenty-five poor scholars with a master and twenty-five poor men. By the time the Statutes were approved in 1452/3 these numbers had increased to ten chaplains, ten clerks, sixteen choristers, seventy scholars and a second teacher, and thirteen almsmen. The original ten priests were renamed priest fellows, and it was the Provost and Fellows who governed the College and managed the estates as well as being responsible for the extensive religious services. The number of fellows was reduced to seven in the hard times that followed the accession of Edward IV.

The Public Schools Act of 1868 (31 & 32 Vict.c.118) required the Provost and Fellows to appoint a New Governing Body to carry out reforms, or to have one imposed. They chose to appoint one, and possibly in deference to the founder's original plans it had ten

members, the Provost and four of the existing Fellows and five outsiders. These outsiders were not resident and had no financial interest; they were, in fact, to be a governing body in the modern sense. Oxford University, Cambridge University, the Lord Chief Justice and the Royal Society each nominated one member. The Statute approving their appointment was sealed by the Provost and Fellows on 18 May 1869 and approved by the Queen in Council on 7 October 1869. The New Governing Body proceeded to reform the school, overhauling everything from the curriculum and examinations to the age of entry, and also to revise the Statutes, many of which had inevitably become hopelessly unworkable over the years. The Provost and Fellows continued to manage the estates and care for the buildings and the internal economy of the College (in the sense of the Provost, Fellows and scholars). Even the Special Commissioners appointed under the Act recognised the awkwardness of this division, by which the Provost and Fellows owned the land but the New Governing Body directed how the income was spent, and if they felt that a sale was needed had to requisition the Provost and Fellows. However, they initially rejected a proposal that under the new Statutes the members of the New Governing Body should become the Provost and Fellows although this was what eventually was decided. Under the 1871 Statutes in addition to the four nominees the Provost of King's College Cambridge was Senior Fellow *ex officio*, the masters elected a representative (not one of the masters), and the remaining four places were filled by the Fellows themselves. In 1904, when the Statutes were again revised, the Vice-Provost was added to the Fellows and this is still the composition of the Fellows today.

The new Statutes were approved by the Queen in Council on 3 November 1871. They gave the existing Fellows equal powers to deal with all matters not specifically reserved to the New Governing Body (as they still were called, presumably to distinguish them from the old Fellows, even though they were now strictly speaking Fellows themselves). In practice, being resident, the old Fellows dealt with much of the estate work and internal matters but members of the New Governing Body began to attend their meetings, which became known as College meetings, and eventually took place four times a year. When the last original Fellow died in 1901, and with him any possible ambiguity, it was resolved to discontinue meetings of the New Governing Body and transact all business in meetings of the Provost and Fellows. This resolution was embodied in the Statutes of 1904.

Further reading :

Tim Card : *Eton Established* (John Murray, 2001)

Eton Renewed (John Murray, 1994)

Henry Maxwell Lyte : *History of Eton College* (Macmillan & Co., 4th ed., 1911)

Report of the Public Schools Commission (HMSO, 1864)

Introduction

From approximately 1452 until 1871 the College was governed by a set of statutes approved by its founder Henry VI. A translation of these statutes, made by Noel Blakiston, forms ECR 58, and his introduction to that volume should be consulted not only for its account of the statutes themselves but also for its description of the various copies and nineteenth century printed editions available to him. In one respect, however, this work has been superseded. Blakiston refers to strong evidence of the existence of a set of statutes earlier than the final text (though that text was known as the Liber Originalis or first book) and in 1975 just such a set was discovered in the library of St. John's College Cambridge. The Master and Fellows presented the manuscript to Eton in October 1976 and it now forms Ms.300. Dr. James Clarke, who has produced a description and analysis of the manuscript, suggests that it was originally drawn up between 1444 and 1446 and that the numerous additions and alterations in it reflect changes in the administration of the College in its early years rather than a major reassessment of its role. The Liber Originalis was thus the culmination of a long process rather than a completely new start.

In 1869, in obedience to the Public Schools Act, 1868 (31 & 32 Vic. c.118), the Provost and Fellows appointed a New Governing Body whose first duty was to make a new set of statutes. These were approved by the Queen in Council on 3 November 1871 and the last meeting held under the old statutes was 21 November 1871. From that date the Founder's statutes were entirely repealed. A number of amendments to these new statutes were found to be necessary and these were consolidated in a new set of statutes approved on 24 October 1904. Again following various amendments, a revised set was approved on 3 August 1945 and the College is now governed by statutes approved on 24 October 1973, again somewhat amended.

A fifteenth – century working copy of the Liber Originalis, now known as the Vice-Provost's book (ECR 60/1/2), contains several subsequent documents of importance, notably relating to the long-running complaints of the Fellows of King's College Cambridge about their rights to Eton fellowships. A dispensation of George I permitting a married Head Master, found loose, may have originally been inserted in this volume (ECR 60/1/7). There are also two seventeenth century copies of the statutes and (ECR 60/1/5) one of three transcripts made in the eighteenth century by Roger Huggett, one of the conducts. The other two, in the British Library and the Bodleian Library, contain comments absent from the Eton copy on the Fellows' disregard for the Statutes, and were the source for the first printed transcription in 1818, found as Appendix (A) to the Fourth Report of the Select Committee of the House of Commons on the Education of the Lower Orders. William Roberts, Vice-Provost 1818 – 1833, made a further transcription in 1819 (ECR 60/1/6) and another eighteenth century transcription was presented by King's College in 1990 to mark Eton's 550th anniversary (ECR 60/1/19/3).

The 1869 statute for appointing the New Governing Body, and all subsequent statutes, were printed, often in multiple copies (now weeded). Orders in Council for the amendment of statutes have been preserved (ECR 60/1/18) though the sealed originals have not survived in all cases. Drafts and discussion of the content of these statutes will

be found among the papers of the New Governing Body (especially ECR 60/7/3) and the post-1904 Provost and Fellows (ECR 60/8) and in the papers of Provosts and Bursars.

Further reading :

Noel Blakiston : ECR 58 (ts, 1973)

James Clarke : Eton Ms.300 . Summary Description and Analysis (ts, 2000)

James Heywood & Thomas Wright : The Ancient Laws of the 15th Century for King's College Cambridge and ... Eton College (Longman, Brown, Green & Longmans, 1850)

Henry Maxwell Lyte : History of Eton College (Macmillan & Co., 4th ed. 1911)

60/1/1	<u>Liber Originalis</u>	1447 - 1455 [1452-1453]
	Vellum; ii + 32 +2 +2. Cords for seal attached.	
	f.i (v) Note of division of statutes into three parts This division was apparently based on number of folios rather than content and was ignored by Huggett and later editors.	15th cent
	f.5 (v) Statutes	
	f.34(v) List of parochial festivals	15th cent
	Guard Letter with sign manual of Elizabeth I 'The dispensing statute' annulling Statute 25 and allowing each Fellow to hold one benefice worth not more than 40 marks pa	11 June [1566]
	Guard Memorandum of the decision of the Visitor in the matter of the complaint of members of King's College Cambridge concerning the holding of benefices by Eton Fellows	5 Aug 1815
60/1/1a	Letter from Provost and Fellows of King's College Cambridge giving notice of their appeal to the Visitor against the holding of benefices by Fellows of Eton	3 Feb 1814
60/1/1b	Record of second appeal by King's College Cambridge	8 April 1816
60/1/1c	Photocopy of certificate stating that Stephen Upman MA deserves the royal letter of dispensation to be admitted D.D. in the University of Cambridge to qualify him for election as Provost of King's. Signed by William Sancroft, Archbishop of Canterbury, and Henry Compton, Bishop of London Endorsed: Original letter is in the National Portrait Gallery. L.Cust Dec. 98	[13 Aug 1681]
(60/1a, 1b and 1c were formerly loose in the back of 60/1/1)		

A working copy of the Liber Originalis. A note lost in 19th cent. rebinding but recorded by Huggett read 'Donum M. Richardi Hopton STP et quondam socius hujus Collegii'. Hopton was Vice-Provost 1477-1499. Vellum; v +38 +8 (+8 between 7 & 8 of that quire) +2 See N.R.Ker : Medieval Manuscripts in British Libraries Vol. II (Oxford, 1977) for binding, pastedowns etc Various amendments, notes and memoranda have been added 15th-19th cent.

f.1 List of statutes.

f.2 Statutes

f.37 (v) Letters patent concerning the declaring, correcting and reforming of the Statutes by the Bishops of Lincoln and Winchester 12 July 1455

Corrections and alterations made by the bishops

f.39 Dispensing Statute 24 Oct 1566
Oath for the Queen's Supremacy 1558

(1 Eliz.1 c.1.s19)

An Acte against abuses in election of Schollers and presentation of Benefices 1588/9

f.40v Letters under the Signet

No scholar to be named to go from Eton to King's until a place is actually vacant 14 July 1600

Dispensation for John Chamber to remain a Fellow in addition to holding a prebend at St. George's Chapel Windsor according to the dispensing statute 8 March 1602

Confirmation of the above 24 Feb 1604

Authority to the Vice-Provost to deputise for the 19 Sept 1623

Provost in all Collegiate acts

f.41 Oath of allegiance to Charles II

f.42 Memoranda on elections of scholars, cancellation of indentures and certificates of age, signed by the electors 1629-1693

f.43 Mandate from William Laud, Archbishop of Canterbury. 11 March 1636/7

At least five Fellows of Eton are to be elected from present or former members of King's College, Cambridge

f.43(v) Letter from William Laud, Archbishop of Canterbury and Thomas Coventry, 1st Baron Coventry, Lord Keeper, ordering that the Vicar of New Windsor should be one of the Fellows of the College 24 Oct 1637

f.44 Petition of the Provost and Fellows of King's College to Charles II requesting that Archbishop Laud's mandate on the election of Kingsmen as Fellows be observed [1675-1681]

f.44 (v) Letter with sign manual of Charles II ordering that Archbishop Laud's mandate should be strictly observed 26 Nov 1679

f.45 Response of the Visitor to the petition of King's College 5 Aug 1815

60/1/2 cont.

- Cambridge against the holding of livings by Eton Fellows
- | | | |
|---------|--|--------------|
| f.45(v) | Dismissal by the Visitor of a second Appeal | 8 April 1816 |
| f.46 | Visitor's answer to the Rev. Samuel Berney Vince's appeal on the election of Rev. John Bird Sumner as Fellow of Eton | 29 July 1817 |
| f.54(v) | Report of a visit by King George III, members of the Royal Family, and others to hear Speeches | 28 July 1778 |
| f.55 | Fees paid to College servants on various occasions | 7 Aug 1758 |
| | Note of water in small beer cellar | Dec 1768 |

60/1/3

The Bursar's Book

17th cent.

The origin of this traditional name is obscure but Huggett refers to the Bursar's 'detestably bad' copy of the Statutes. Parchment; iv +52.

See N. Ker, op.cit., for binding etc

Pencil note on verso of front flyleaf : Collated by C. O.

Goodford, Provost. (All statutes marked Collated C.O.G.)

f.2(v) Contents

f.1 Statutes

f.49 Letters patent of 1455 and declarations by Bishops of Lincoln and Winchester on revision of the Statutes. Note in Provost's Goodford's hand of the Founder's death, taken from King's College Statutes, and of the form of oath for Provosts, Fellows and Head Masters

f.52 Drawing of the College swanmark in red and black ink

60/1/4

Eton College Book 1693

17th cent.

This title was invented by Patrick Strong from entries on the flyleaves.

Parchment with paper flyleaves; iv + 52 +1

f.ii Title page

f.ii(v) Table of Statutes

Statute 1 is called Introductio, not Mens et Institutio, and not numbered. Statute 2 is numbered 1 and numbering stops at 49.

f.1 Statutes

f.39(v) Letters patent of 1455 and declarations by Bishops of Lincoln and Winchester

60/1/5

Roger Huggett's Book

c.1759

Transcript of 60/1/1 collated with 60/1/2

Paper; viii + 256pp.

At the end of most statutes appears 'Collatum J.G.' (Provost Goodall). Goodall has added occasional side notes and there are later pencil notes and underlinings

p.i Index

- 60/1/5 cont.
- p.1 Statutes, including additional Statutes, Letters patent of 1455 and Declarations by Bishops of Lincoln and Winchester
- p.246 Visitor's decrees 1815 - 1817
- 60/1/6 Mr. Robert's Book 1819
- On verso of front end-paper : Statutum quaedam Etonensis Collegii in usum Vice-Praepositi. W.R.1819
 Added in the hand of Rev. George Dupuis (Vice-Provost 1868-1884): This copy of the Statutes was written by the Revd. William Roberts Vice-Provost from 1818 to 1833. There follows the date of Roberts' death and a list of his successors.
 Marginal corrections in several 19th cent. hands. Several titles are marked in the index 'Not written out' or 'Written short'; Roberts presumably decided to omit or abridge obsolete Statutes.
 viii+ 250pp
 p.i Contents
 p.1 Statutes
- 60/1/7 Dispensation 9 May 1720
 Dispensation of George I allowing the appointment of Henry Bland as Head Master although he is married
- 60/1/8 Statute for appointing the New Governing Body of Eton School made by the existing Governing Body of that School in pursuance of the Public Schools Act, 1868 1869
- 60/1/9 Statute for providing against any Election to a Fellowship of Eton College which may become vacant before the 1st day of January 1871 without the consent of the New Governing Body 1870
- 60/1/10 Statutes 1871
- /1 1 vol., Statutes of Eton College gilt-stamped on front cover, with stamp of College arms.
 A later hand has added in ink: 'The Bursary' and '1871'.
 Signature of J.J. Hornby on front pastedown
- /2 Paper covered copy titled Statutes 1871
- 60/1/11 1871 Statutes with amendments approved by Her Majesty in Council and Scheme for the Improvement of the Property of Eton College..., 1873 (4 copies) 1894
- 60/1/12 Statutes 1904
- /1 Sealed copy
- /2 Sealed copy. Titled on front cover ' Sealed Copy. Statutes 1904. Title page : '2 proofs' and 'Statutes of' added in ink.

60/1/12 cont.

Heading amended to read Eton College. Statutes approved by the King in Council October 24th 1904

/3 Volume bound as 1/10 /1 above (4 copies)

- a) contains (loose) a letter from Edward Austen Leigh to Francis Warre Cornish commenting on certain statutes, 9 Nov 1904; copy of letter from [Provost Marten] to Harold Baker (1877 – 1960) Warden of Winchester, on proof that a scholarship candidate is the son of a natural born British subject, 26 Sept 1945
- b) inscribed on flyleaf 'The Bursary'
- c) College bookplate

- 60/1/13 Statutes of 1904 with amendments approved by the King in Council 1945
(2 copies)
- 60/1/14 Statutes of 1904 as amended to 1945. Copy belonging to the Bursar 1967
with additional ms amendments to 1967
- 60/1/15 Statutes 1973
- /1 1 vol. marked Archives Copy
 - /2 1 vol. marked Bursar's Copy
 - /3 paper binding (3 copies)
 - a) Bursar's copy. Please return
 - b) Frederick Coleridge's copy
- 60/1/16 Reprint of 1973 Statutes with amendments to 1980 (5 copies) 1986
- 60/1/17 Reprint of 1973 Statutes with amendments to 1999 (9 copies) 1999
a-h bound in black
- 60/1/18 Orders in Council for the amendment of the Statutes 1869-1999
(29 items). Includes sealed originals and copies
See also 60/12/12/1
- 60/1/19 Miscellaneous
- /1 Translation of the Founder's Statutes [19th cent]
Section of a larger volume, traces of leather spine still attached. Many alterations
 - /2 Notebook (lacking cover) containing extracts from the Statutes and copies of documents relating to the appeal of King's College Cambridge against the Fellows of Eton holding ecclesiastical preferment in addition to their Fellowships [c.1814]
 - /3 Copy of the Statutes on vellum, presented to Eton by King's College on the occasion of Eton's 550th anniversary in 1990. Bookplate of King's College with label recording the gift. In wooden box labelled 'Statuta Collegii Regali de Etona'. 18th cent
 - /4 Statutes, Schemes and Regulations made under the Public Schools Acts 1874

Introduction

Henry VI ordered that sealed copies of the statutes of Eton and King's should be deposited in a chest in the treasury of each college, with a further copy of each volume in their libraries for the use of the Fellows. (Eton Statute 45, King's College Statute 60). The sealed Eton copy of the King's statutes has long since disappeared but the library copy is probably the volume listed here as ECR 60/2/1.

There are two other manuscript copy of the King's statutes. One, ECR 60/2/2, bears the bookplate of Berkeley Seymour, Fellow of King's 1706 – 1744. Roger Huggett, the Eton conduct who transcribed the Eton statutes, says that Thomas Southernwood, Fellow of King's 1728 – 1752 and of Eton 1752 – 1776, had 'met with' a copy of the King's statutes in a 'tolerable good law hand' transcribed by a Chaplain of the college, and offered it to Eton. This may be that copy; although Provost Okes refers in 1860 to the copy 'presented by Seymour' that would be a not unreasonable deduction from the bookplate if knowledge of the actual donor had been lost. The second, (ECR 60/2/3/2) elaborately bound, was presented by Edward Betham in 1771, the year in which he became a Fellow of Eton. Betham's inscription says it was for the Provost's use, and certainly Provost Hawtrey at least studied it carefully.

King's revised its statutes somewhat earlier than Eton, in 1861, and two copies of these statutes are present (ECR 60/2/4), stamped, perhaps in obedience to King Henry's injunctions, Eton College and Eton College Library respectively. A further revision was made in 1882 and as at Eton there were subsequent revisions and amendments, including a new set in 1927. Correspondence on these various revisions survives, especially for the nineteenth century, but the papers listed here deal almost entirely with statutes relating to Eton Scholarships. ECR 60/2/16 is a document of particular interest, being a transcript of material relating to the election of Charles Roderick as Provost of King's in 1689, the occasion of a significant debate as to the Crown's right of nomination to this position. It was originally drawn up by John Reynolds, Fellow of Eton 1733 – 1758, who went to King's in 1689.

60/2/1

Statutes

15th cent.

The Founder had ordered in Statute 45 that a sealed copy of King's College Statutes should be placed in a chest in the treasury with a copy in the Library for the convenience of members of the College. This volume, which bears no traces of a seal, is probably the copy

ff.i + 38 + i. Contemporary foliation ff.1-37 in red.

Brown leather binding, blind stamped, with clasps for chains.

f.1 Statutes. Marginal additions and alterations

f.37v Memorandum of the date of death of Henry VI and the date of laying the foundation stone

f.38 Capitula

f.38v Letters patent authorising the Bishops of Winchester and Lincoln to reform the Statutes; declarations and corrections

- 60/2/2 Mr. Seymour's book pre-1744
 Named from the bookplate of Berkeley Seymour, Fellow of King's from 1706, who died 1744. Provost Okes in 1860 refers to the copy 'presented by Seymour'.
 pp.viii + 177, contemporary pagination 1-160.
 Red leather binding with gilt tooling, KC in centre.
 Bookplate of Berkeley Seymour, Eton College added in red.
 p.iii Title page with elaborate penwork
 p.v Statutum index capitulorum
 p.1 Statutes
 p.139 Interpretation of Statute 46 by the Bishop of Lincoln, 1594
 p.145 Interpretation of certain Statutes by the Bishop of Lincoln. 1604
 p.153 Confirmation by James I, 4 June 1604
 p. 155 Composition between the University and the College, 14 February 1456
- 60/2/2a Receipt of Richard Okes, Provost-elect of King's College, 7 Nov 1850
 for the copy of the King's College statutes presented by Berkeley Seymour, for use before the Visitor
- 60/2/2b Envelope inscribed : 'Receipt from the Provost of King's for 17 Oct 1860
 the ancient ms copy of the KC Statutes on Vellum, which was placed in his hands by me this day in London'. Signature of Provost Hawtrey. [This is presumably 60/2/1]
- 60/2/2c Enclosed in 2b, receipt of Richard Okes.
 (60/2a, 2b and 2c were loose in the front of 60/2/2)
- 60/2/3/1 Statutes, interpretations, letter of James I, composition with University (ms) nd
 On pastedown : signature N. Kent, with note that the book was to be given to a member of King's College 'after my decease'. Below, signature of Edward Betham, with note that it is the gift of Thomas Hews, administrator of the Revd. Mr. Nathaniel Kent, who died 16 March 1766
 There follows a list of statutes and a list of variant readings, in the hand of George Bethell (Fellow of Eton 1818 – 1850)
- 60/2/3/2 c.1771
 A fair copy including interpretations by the Visitor
 Inscription on flyleaf ; 1771/Collegio Beatae Mariae de Etona/in usum Praepositi/Dat E Betham Socius
 Below, in pencil in later hand : returned to College Library June 1923
 Notes by Provost Hawtrey on the holding of a benefice by the Provost of King's; marginal notes, probably by him, throughout
- 60/2/4 Interpretations of the Statutes 18th cent
 1 vol. with paper label 8 on front

60/2/4 cont.

Interpretations by the Visitor, with confirmation by James I,
1594-1604.

Comments have been added by later hands, including Provost
Goodall's, with especial reference to Eton Statutes

- | | | |
|---------|---|---------------|
| 60/2/5 | Statutes of King's College Cambridge | 1861 |
| /1 | I vol. printed on vellum. Blind stamped with arms of King's College; lettered in gilt Statutes of King's College, Cambridge. (above) and Eton College (below) | |
| /2 | As /1, on paper. Title Eton College Library, with College Library bookplate | |
| 60/2/6 | Proposed Statutes for King's College (printed) | 1881 |
| 60/2/7 | Statutes of King's College made by the Cambridge University Commissioners ... approved by the Queen in Council, 29 June 1882, with the subsequent alterations... approved by the Queen in Council | 1895 |
| 60/2/8 | Statute F - Scholarships. | 1891 |
| 60/2/9 | Statute F- Scholarships | 1902 |
| 60/2/10 | Statute E-Fellowships, and Statute F-Scholarships | 1903 |
| 60/2/11 | Statutes
A. F. Schofield's copy, with amendments and additions | 1927 |
| 60/2/12 | 1927 Statutes with amendments to 1952 (1 vol) | 1952 |
| 60/2/13 | Amendments to statutes (loose) | 1952 - 1955 |
| 60/2/14 | 1927 Statutes with amendments to 1966 (1 vol) | 1967 |
| 60/2/15 | Papers relating to Eton scholarships | |
| /1 | Confirmation of new Statutes of King's | 1861 |
| /2 | Correspondence of Eton Electors and Provost of King's concerning notification of a vacancy (2 items) | July 1861 |
| /3 | Petition of the Provost and Scholars of King's to the Privy Council (printed) | 20 July 1861 |
| /4 | Draft petition to the Queen by Eton College | 23 July 1861 |
| /5 | Order in Council | 25 July 1861 |
| /6 | Order in Council | 26 July 1866 |
| /7 | Statute approved by the Queen in Council | 12 Jan 1891 |
| /8 | Draft of proposed alterations | March 1894 |
| /9 | Letter from the Provost of King's to the Eton Governing Body explaining proposed alterations (printed) | 28 March 1894 |

60/2/16 Transcript by George Dupuis, Vice-Provost 1868 – 1885,
of documents relating to the election of Charles Roderick
as Provost of King's College, 1689, including a speech of
John Layton, Fellow of King's, to King William III on his
visit to the College
The account of this election was given by John Reynolds,
Fellow of Eton 1733 – 1758, who went up to King's in
1689

nd

Introduction

In Statute 35 it is ordered that nothing should be sealed with the College seal unless it had been written in the register after 'mature deliberation' by the Provost and Fellows. The register was to be written by a 'learned and discreet clerk'. For the first years of the College's life all types of instrument were entered in one book but it was then found more convenient to separate the recording of leases from more formal business and a lease book (60/12/3/1) was begun in 1457, although there was initially some overlap and both volumes should be consulted.

Recorded in the registers are the elections of Provosts and Fellows, including any necessary oaths; presentations to College livings; letters from the Crown; probates of wills and grants of administration. Even during the existence of a separate Probate Register (60/11/1/1) some wills are entered in the main register.

Edward Betham (Fellow 1771-1783) and Joseph Goodall (Provost 1809-1840) both made notes in the registers and Goodall in particular worked on them extensively, paginating them in red. The existing bindings probably date to Goodall's time, since he refers to a note in Register 1 being 'on the cover', suggesting that at that date the volume was still in its original vellum binding only.

- | | | |
|--------|---|--------------------|
| 60/3/1 | <u>Lease Book Register</u> | 1445 - 1531 |
| | 209ff (17th cent. foliation has f.157 twice) | |
| | Summaries, titles and (often incorrect) dates for each document have been entered in the margins in a variety of hands and dates. | |
| | Front pastedown : Regestarii Collegii Regalis B[ea]te Marie de Eton. | |
| | Note of acquittance to the Abbot of Reading for 100s for land in East Hendred, mid-15th cent. | |
| | f.1 (v) Ordinance by the Provost on the observance of the Sabbath within the peculiar jurisdiction of the College precincts, 26 December 1482 | |
| | ff.18-20, 22-25 Manumissions of inhabitants of College estates, 1460-1461 | |
| | f. 204 Hidagium Beauple secta et Ward' de Eton' volut' per annum (figures transcribed by Provost Goodall) | |
| | f. 206 List of rents paid to Windsor Castle for lands and tenements in the parish of Eton | |
| | Transcribed by Provost Goodall | |
| | Rear pastedown : pen trials, one in Greek | |
| | An 18th century index has been inserted between the final folio and the original back cover, now the paste-down (6pp). | |
| 60/3/2 | Register 1 | 1457 - 1536 [1554] |
| | viii + 170pp (paginated in red by Provost Goodall; 2 earlier foliations) | |
| | p ii List of Provosts, Henry Sever to Henry Savile, and notes | |
| | p.iv 'Among ye papers Relating to Eton Estate in ye Muniment house' | |
| | Extract from Act of Resumption 1 Edw.IV c.1 s.4 | |

60/3/2 cont.

Below is a note on the date of Henry VI's restoration

- p.vi Note that John Mowe (e)r's election is the first entry.
Notes on fellows by Provost Goodall
- p.iv List of fellows and chaplains, with name of Provost
admitting them
- p.169 Note on breaking of the College seal in March 1474
Tipped in at rear, list of contents by page, annotated by
Provost Goodall (8 pp.)

60/3/3 Register 2 1529 - 1575 [1590]

iv + 143pp.(paginated in red by Provost Goodall; earlier incorrect foliation)
Entries for 1576-1590 have been added not in sequence but at the foot of
pages where there was a space (pp.125, 135, 138, 140)

p. ii Contemporary notes on Provostship 1559-1560, with notes by Provost
Goodall

p. iii Notes on elections to Provostship (transcript of p.ii)

p. 143 Notes by Provost Goodall and others

60/3/4 Register 3 1577 - 1666

ii + 70ff

18th cent. list of contents, with some additions by Provost Goodall
(4 ff)

60/3/5 Register 4 1659 - 1802

iv + 281 + 2ff. Paginated pp.1-75, after which the numeration
continues as foliation

f. iii (v) List of Provosts, Nicholas Monck to Edward Hawtrey
ff.31-32 between these leaves a note signed JH (John Hanson,
Notary public to the College) has been inserted : 'there
was a Leafe cutt out here Numbered 63 & 64 (the same
being by accident defaced) But the Contents were first
entred on that which followeth viz fol.65'

f.280 Index, 19th and 20th cent.

60/3/6 Register 5 1803 - 1881

357 pp.

p.352 Index

60/3/7 Register 6 1881 - 1920

382 pp.

p.379 Index

From 1904, some original documents are fastened in

60/3/8 Register 7 1920 - 1946

xxvi + 387 pp.

p.i Index

60/3/9 Register 8 1946 - 1970

390 pp. Indexed

60/3/10 Register 9
404 pp.

1970 - 1989

Introduction

The Provost is the head of the College. The Founder's Statutes ordered that he was to be a priest, at least thirty years old, a Fellow of either Eton or King's or a former member of either, a Master of Arts and also a Master or Bachelor of Theology or a Doctor of Canon Law. He was to be nominated by the Eton Fellows and the successful candidate was to be presented to the College Visitor, the Bishop of Lincoln, for confirmation. The Bishop then presented him to his position; this ecclesiastical step was necessary because the Provost was also Rector of Eton, involving a cure of souls. In 1871 the requirement that he should be in orders was dropped, although he was still expected to be a member of the Church of England (subsequently amended to being a member of a church in communion with it); he had to be a Master of Arts from the Universities of Oxford or Cambridge. In 1973 this was extended to allow a qualification deemed comparable.

The original Statutes make no mention of nomination of the Provost by the Crown, shown so clearly here but on occasions when the Fellows attempted to assert their independence they were often thwarted by the reluctance of the non-approved candidate. The 1871 Statutes definitely placed the right of nomination with the Crown.

These papers are mainly of a formal nature, relating to the election and admission of the Provost. A document of c.1695 (60/4/7) describes the procedure, which is reflected in the archives. Admission by the Bishop of Lincoln was followed by a mandate from him to the Vice-Provost to induct the new Provost, by the swearing of the necessary oaths and subscription to the Thirty-Nine Articles, and certificates that this had been done. Also included are papers relating to the eligibility of certain candidates, notably Sir Thomas Smith, who as a layman required a dispensation to hold a cure of souls.

Records of individual Provosts are listed as COLL/P. Their elections and the records of their oaths on appointment can be found in the registers (60/3) and accounts of the funerals and installations of later Provosts will mainly be found in the papers of individual Provosts and in the records of the Bursar, Junior Bursar and Works Department. Included here, however, is an account of the funeral of Provost Cradock.

60/4/1	Notices of election of new Provost, including drafts (7 items)	1661 - 1862
60/4/2	Royal letters	1660 - 1682
	/1 Nicholas Monck : copies (2 copies)	7 July 1660
	/2 John Meredith	26 Feb 1661/2
	/3 Richard Allestree : copy	21 July 1665
	/4 Zachary Cradock	20 Feb 1680
	/5 Henry Godolphin	16 Oct 1695
	/6 Henry Bland	29 Jan 1732/3
	/7 Stephen Sleech	26 May 1746
	/8 Edward Barnard	17 Oct 1765

- 60/4/2 cont.
- /9 Joseph Goodall 12 Dec 1809
 - /10 Francis Hodgson 6 April 1840,
18 April 1840
 - /11 Charles Old Goodford : original and copy 10 Feb 1862
 - /12 Edmond Warre : includes papers relating to his
installation and to the death and funeral of Provost
Hornby 27 Nov 1909
 - /13 Montague Rhodes James : includes papers relating
to his installation 25 Sept 1918
 - /14 Lord Hugh Cecil 27 Sept 1936
 - /15 Clarence Henry Marten 23 Jan 1945
 - /16 Claude Elliott 29 July 1949
 - /17 Harold Caccia 28 April 1965
 - /18 Sir Martin Charteris 8 Oct 1977
 - /19 Sir Antony Acland 18 June 1991
 - /20 William Eric Kinloch Anderson 11 Oct 2000
- 60/4/3 Admission to the Provostship by the Bishop of Lincoln 1621/2 - 1862
- /1 Thomas Murray 2 March 1621/2
 - /2 Stephen Sleech 11 June 1746
 - /3 Edward Barnard 28 Oct 1765
 - /4 Joseph Goodall 26 Dec 1809
 - /5 Francis Hodgson 7 May 1840
 - /6 Charles Old Goodford 21 Feb 1862
- 60/4/4 Bishop of Lincoln's mandate to the Vice-Provost to induct 1765 - 1862
- /1 Edward Barnard 28 Oct 1765
 - /2 William Hayward Roberts 18 Dec 1781
 - /3 Joseph Goodall 26 Dec 1809
 - /4 Francis Hodgson 7 May 1840
 - /5 Charles Old Goodford 21 Feb 1862
- 60/4/5 Provost's Oaths 1621 - 1862
- /1 Thomas Murray : notary's certificate 4 March 1621
 - /2 Henry Godolphin : notary's certificate and transcript 2 Nov 1695
 - /3 Henry Bland : notary's certificate 22 Feb 1732
 - /4 Edward Barnard : Registrar's certificate 30 Oct 1765
 - /5 Charles Old Goodford [1862]
- 60/4/6 Subscription to Thirty-Nine Articles 1695 - 1782
- /1 Henry Godolphin 17 Nov 1695
(on rear endpaper of *Articles agreed upon ... in the
Convocation holden at London in the Year 1562.*
London: Charles Bill and Thomas Newcomb, 1690).
Assent certified by signatures of Fellows and a notary
 - /2 Zachary Cradock (unsigned) [1681]
 - /3 Henry Bland : drafts of Fellows' certificates (2 items) 25 March 1733
 - /4 William Hayward Roberts : certificate from the Bishop
of his subscription to the Articles, endorsed with 18 Dec 1781

- 60/4/6/4 cont.
 memorandum of his reading in on 23 December 1781, signed by Henry Sleech and John Young; declaration of William Hayward Roberts and memorandum of his reading in on 6 January 1782, signed by John Young and Edward Chamberlayne
- /5 Charles Old Goodford : certificates from the Bishop of his confirmation to the liturgy and Thirty-Nine Articles, 21 Feb 1862 (2 items)
- 60/4/7 The manner of choosing a Provost into Eton College upon a vacancy 1695
- 60/4/8 Papers on eligibility of candidates 1621 - 1853
- /1 Copy of a letter from the Bishop of Lincoln to the Marquess of Buckingham concerning the granting of a dispensation to Thomas Murray, a layman, to hold a cure of souls 23 Feb 1621
- /2 Papers concerning the claim of Edmund Waller to be elected Provost (23 items) 1681
- /3 Opinion of Mr. Yorke on Edward Barnard's qualifications for election [1765]
- /4 Extract from Tanner Mss., vol. 158, on dispensations for electing a layman as Provost nd
- 60/4/9/1 Letter from James I authorising the Vice-Provost and Fellows to seal leases during the interregnum in the Provostship 8 Aug 1623
- /2 Letter from James I to the Vice-Provost and Fellows deputing the Vice-Provost to act as Provost during the vacancy 19 Sept 1623
- 60/4/10 Account of the funeral of Provost Cradock Order of procession and disposal of the company in the Lodgings 19 Oct 1695
- 60/4/11 Gathering containing speech made by John Burton (Vice Provost 1752-1771) on presenting Edward Barnard to the Bishop of Lincoln for confirmation of his election as Provost; sermon preached by Burton at the funeral of Provost Sleech (see also Ms.301) Oct 1765
- 60/4/12 Papers relating to the election of Provost Hawtrey, including draft of letter to the Prime Minister notifying him of the election and draft certificates from the Bishop of Lincoln (5 items) 1853
- 60/4/13 Draft of request from the College to the Bishop of Lincoln to admit the Provost they have elected (name left blank) 1862

- | | | |
|-----------|--|--------------|
| 60/4/14 | Letter from the Bishop of Lincoln authorising the Vice-
Provost to affix the College Seal in the absence of the
Provost | 24 Nov 1863 |
| 60/4/15 | Memorandum by Provost Quickswood on the installation
and induction of the Provost | 1944 |
| 60/4/16 | Notes by Clarence Henry Kennett Marten, Vice-Provost, on
the functions and emoluments of the Provost and Vice-Provost | Sept 1944 |
| 60/4/17/1 | Account by George Dupuis, Vice-Provost 1868 – 1885,
of the death and funeral of Provost Goodall and the
election of John Lonsdale as his successor | 7 April 1840 |
| /2 | Account by George Dupuis, Vice-Provost 1868 – 1885,
of the election of Francis Hodgson as Provost in place
of Mr. Lonsdale and of his installation | [May 1840] |

Introduction

These records relate to Fellows appointed prior to the reform of the Statutes in 1871. The registers (60/3) contain details of elections and the taking of oaths.

The Founder had specified that his College should include ten 'priest fellows' who were to be 'of sufficiency in letters, having skill and ability in reading and singing', Masters or Bachelors of Theology or Doctors of Canon Law (Statute 9). They were to be resident at Eton and a Fellow obtaining a benefice had to resign within a year; accepting a benefice within five miles of the College was forbidden (Statute 25). In hard times under Edward IV the number of Fellows was reduced to four, and even when the College was saved from amalgamation with St. George's Chapel, Windsor, and received back some of its possessions, it was not able to support the full complement of ten; the number was increased again to seven only and remained the same even when the College's fortunes improved. When Protestant clergy able to marry replaced the celibate Catholic priests envisaged by the Founder Eton did not require its fellows to resign on marriage; instead a dispensation was obtained from Queen Elizabeth in 1566 to allow a living to be held in conjunction with a fellowship (60/1/1). The Provost and Fellows appointed the Head Master and were responsible for the seventy King's Scholars but otherwise played no part in the running of the school. Their extensive religious duties largely lapsed with the Reformation although they continued to preach – badly, by later accounts – in College Chapel but their main responsibilities were the running of the College estates.

The Statutes specified that Eton Fellows were to be elected from present or former Fellows of King's College Cambridge, Eton chaplains or former members of Eton Collège, although suitably qualified candidates from other colleges or places might be considered. The reduction in numbers, the dispensation, and royal interest all reduced the number of fellowships available to Kingsmen, who protested to the King. In 1636 Archbishop Laud confirmed that five of the fellowships should be reserved to Kingsmen (ECR 39/170) but the Civil War and Charles II's need to reward loyal followers after the Restoration made this something of a dead letter - though the three letters here concerning Dennis Grenville, who never actually achieved a fellowship, show that royal recommendation did not always produce results. Troublesome contests for vacant places led in 1670 to a royal confirmation of Laud's decree (ECR 39/173) and a subsequent order to disregard any letters contrary to it. The flow of royal letters in fact ceases at this point. The Fellows of King's however continued to feel disadvantaged and the King's College archives contain a file of correspondence 1679-1681 on the subject. In 1685 this culminated in the presentation of a petition to the King – reflected in the Eton archives only by a statement of the case made some two months later to Lord Dartmouth, and presented to the College in 1926 (60/5/4/2) and some 18th century copies of the relevant documents (60/5/11). This was followed by a further confirmation of the decree (ECR 39/174). Although by the mid-eighteenth century the appointment of non-Kingsmen was rare, the use, contrary to Statute, of Queen Elizabeth's dispensation was in 1814 the subject of an appeal to the Visitor of both Colleges, the Bishop of Lincoln. He admitted the justice of the King's College case but was unwilling to overturn what was by then established custom. Papers relating to the appeal have been included here (see also 60/1/19).

By this time the progress from King's Scholar at Eton to Fellow of King's, often followed by a return to teach at Eton with a fellowship there as a sort of pension was well established. The rewards of an Eton fellowship included not only a house in College, the statutory allowances (Fellows had long ceased to dine communally in College Hall except on special occasions), and the chance to hold one of the richer College livings and exercise patronage in presenting to the less well-endowed, but also a share of the fines or premiums paid by tenants renewing their leases. These fines were generally considerably in excess of the rents but were simply divided up among the Provost and Fellows. A system of paying dividends from surplus funds had existed at an earlier date (see Kerri Dexter : *The Provision of Choral Music at St. George's Chapel, Windsor Castle, and Eton College, c.1640 - 1733* (unpublished D.Phil thesis, 2000) but then the dividends had been spread rather more widely. The Select Committee on the Education of the Lower Orders, 1818, did not query the principle – such bodies as cathedral chapters operated in the same way – so much as the fact that the scholars had no share in it. The Public Schools Commission was much more critical of the role of the Fellows and when the new Statutes were approved on 3 November 1871 the old religious foundation found no place in it. The rights of the Lower Master to an old-style fellowship were however protected and he was duly elected to one in 1877. The last of the fellows elected under the Founder's Statutes, Rev. William Carter, died in 1901.

60/5/1	Royal letters	1642 - 1679
/1	John Meredith	18 April 1642
/2	Nicholas Gray	3 July 1660
/3	John Price	3 July 1660
/4	Isaac Barrow	4 July 1660
/5	Dennis Grenvile	6 Oct 1660
/6	Dennis Grenvile	24 Feb 1662
/7	Dennis Grenvile	3 April 1662
/8	Henry Bold	29 Dec 1664
/9	Henry Bold	14 May 1669
/10	Timothy Thircrosse	17 Feb 1670
/11	Philip Fell	13 May 1670
/12	Thomas Montague	31 Jan 1671
/13	Zachary Cradock	19 Nov 1671
/14	Henry Godolphin	31 July 1674
/15	Stephen Upman	7 July 1675
/16	Stephen Upman	16 April 1677
/17	Richard Martyn	19 Nov 1675
/18	Thomas Bowyer	17 July 1677
/19	Thomas Bowyer	3 July 1679
60/5/2	Letters accepting Fellowships	1814 - 1817
/1	John Grover	6 Feb 1814
/2	John Bird Sumner	18 June 1817
60/5/3	Notarial certificates	1803 - 1868
	File of certificates of the admission of Fellows and their swearing of the oaths prescribed by the Statutes (38 items)	

- 60/5/4 Eton and King's College
- /1 Certified copy of a letter from Charles II ordering that the decree of Archbishop Laud concerning elections to fellowships is to be inviolably observed notwithstanding existing or future letters mandatory 26 Nov 1679
- /2 Short hints of the case of King's College in Cambridge humbly presented to the Rt. Honble. my Lord Dartmouth (George Legge, 1st Baron Dartmouth) [Dec 1685]
- /2a Letter from William Heneage Legge, 6th Earl of Dartmouth, to Provost Cecil presenting the above, 8 June 1726 (See also 60/5/11/2)
- 60/5/5 Copy of Statute 9 concerning the election of Fellows and their oaths nd
Endorsed (various hands) : The manner of choosing Fellows into the College. Recommendations to fellowships from the Crown 1642-1679 ending under Provost Meredith
- 60/5/6 Account [by William Roberts?] of the rights of the Fellows in the choice of Lower Master and the election of John Sumner to the post 1734
- 60/5/7 Papers concerning the Appeal of King's College Cambridge to the Bishop of Lincoln against the holding of livings by Eton Fellows (23 items) 1814 - 1819
Includes Mr. Hay's Opinion on the legality of dispensations to hold more than one preferment, 1752
- 60/5/8 Individual appointments
- /1 Letters and papers concerning the elections of Timothy Thircrosse (Thircrosse) and Henry Bold (9 items) 1669
- /2 Letter from [Provost Sleech] concerning a dispensation for Thomas Ashton to hold the living of Sturminster with his fellowship Feb 1750
- /3 Correspondence of William Cooke and Thomas Ashton concerning possible irregularities in the elections of Eton fellows 1768 - 1769
- 60/5/9 Form of oaths on admission of a fellow, as used by George John Dupuis 1838
- 60/5/10 Account of Nicholas Grey (1590 – 1660), Fellow 1660 18th cent
Endorsed : Acct. of Dr. Grey/Fellow of ye Coll. 1660/ (autograph of Provost Goodall) almost verbatim with the/ Acct. of him in Harwood's/Catalogue
- 60/5/11 Copies of documents relating to rights to fellowships nd
The writer is not known but the hand is the same as 60/4/8/4. There are some marginal annotations by Provost Goodall

60/5/11 cont.

- /1 Extracts from Tanner Mss., vol. 26, concerning the proposed annexing of a fellowship to the vicarage of Windsor, 1634
- /2 Documents relating to the petition of King's College, Cambridge concerning elections to Eton fellowships, 1679 – 1685 (12 ffs)

PROVOST AND FELLOWS
(pre-1904)

Introduction

The main records listed in this section are the minutes and papers directly relating to the business of meetings of the Provost and Fellows prior to 1871 and of the College meetings thereafter. These were the meetings of the Provost and Fellows of the old foundation, who continued to meet after 1871 to deal with matters not specifically reserved to the New Governing Body, and in practice dealt with much of the estate administration. Members of the New Governing Body also attended these meetings which came to be held on a quarterly basis. After the death in 1901 of Rev. William Carter, the last of the Fellows appointed under the Founder's Statutes, the College meetings continued until 1904 when new Statutes were approved.

The registers, lease books and audit rolls or books stand alone as records of the Provost and Fellows' activities until the early seventeenth century and even then we have to rely on private records. Probably made by the Fellows elected as Bursars, they were found with the seal books and seem in fact to have been regarded as College records. There are no papers as such until those relating to the Cambridge Universities Commission of 1856; the correspondence of the Bursars and Registrars dealt with most of the subjects likely to be raised and no doubt oral reports were made.

The second of the three precedent books listed was clearly much used, and appears in some cases to be an actual record, for example the signed details of the expulsion of scholars. The presence of the first, which appears to have little to do with College, is something of a mystery.

For records of the New Governing Body and of the Provost and Fellows after 1904 see ECR 60/7 and ECR 60/8. Minutes from 1901-1904 are included in printed volumes of minutes at 60/8/1/2.

Many of the papers listed here, including draft and printed minutes, were found scattered between a large number of boxes of miscellaneous papers from different sources which Noel Blakiston had roughly sorted by decade. It was not always possible to decide provenance and when an item could have originated from the College or from the New Governing Body it has been included with the records of the latter.

60/6/1

Minutes

1617 - 1904

If the Provost and Fellows kept systematic minutes of their meetings before 1716 these have not survived. However, various seal books and order books record at least some of their decisions, particularly those relating to the granting of leases, and entries in the order book of 1659/60-1676/7 (60/4/1/2) are often signed by the Fellows. Private records of decisions, again often relating to the estates, have also survived. Ms. 301 is also such a record, containing extracts from the seal books covering 1660-1676 as well as various sermons and other memoranda. From 1811 the Provost signed the record of meetings.

60/6/1/1	Seal book viii+365+1ff. Labelled ; Seal Book 1617-1775 f.iii Notes on date of foundation, taken from the notebook of Matthew Hale f.iv Index of Eton and Windsor tenements f.v Note on grant by New Windsor Corporation, 14 April 1686 f.vi Course of cutting the College woods f.vi Table of lands and tenements f.viii Rules to be observed in renewing leases f.1 Record by estate of rents, renewals and fines. f.363(v) Preparations of lime, and of cement for cisterns f.364 Ready reckoner	1617 - 1792 17th cent. 18th cent 4 Feb 1734 4 May 1700
60/6/1/2	Order book 39ff. Vellum ties. On front cover : 1660(11). Very curious- and to be carefully preserved (1853) GJD [George Dupuis, Fellow 1838 - 1868, Vice-Provost 1868 - 1894] Diverse business including sealings. Entries signed by the Fellows. f.39(v) Note on the living of Piddlehinton by Isaac Barrow, Bishop of Sodor & Man (Fellow 1660 - 1669)	1659/60 - 1676/7
60/6/1/3	Order book 126ff. Diverse business, including sealings	1716 - 1758
60/6/1/4	Order book ii + 356pp College arms stamped on both covers. Paginated; pp.324-356 written upside down from back The original covers are separately stored. p.i List of Good Friday preachers in College Chapel and 'New Chapel' (chapel of ease), 1819-1942 p.1 Minutes. Tipped in between pp.310 & 311, two drafts of a petition to Parliament against a railway from London to Bristol p.356 List of Fellows' duty residences, 1786 - 1792 p.354 Minutes of meetings, mainly concerning repair and alterations, also the living of Creting p.336 Calculations on allowances for water closets p.328 Copy of agreement concerning entitlement to fines Agreement to cancel the above in view of the abolition of beneficial leases, 1870 p.327 Agreements on fines to be taken for various leases	1758 - 1850 1785 - 1826 1823
60/6/1/5	Seal book 364 pp	1851 - 1867

- 60/6/1/6 Minute book 1868 - 1904
442 pp. Indexed.
Loose between pp.55 & 56 : minutes of New Governing Body
(signed by all members), December 1869-January 1870
- 60/6/1/7 Minutes (printed) 1893 - 1900
Incomplete but includes duplicates. Some minutes followed by
agenda for next meeting
- 60/6/1/8 Draft minutes (incomplete) 1866 - 1896
Attached is the draft agenda for the meeting of December 1896
- 60/6/1/9 Agenda (printed) 2 copies 5 Dec 1899
- 60/6/2 Private records of College business 1671/2 - 1798
- 60/6/2/1 *Rider's British Merlin ... with notes of husbandry*. London, 1672
The blank pages at the end, then at the beginning, contain
rough notes of sealings, leases granted and fines paid.
Various hands 1671/2 - 1719
- 60/6/2/2 *Rider's British Merlin...* London, 1719
The blank pages used as above; various hands, the
first the same as the last in 2/2 1718/19 - 1739/40
- 60/6/2/3 Notebook 1764 - 1780
Record of sealings with running total of fines
White vellum cover marked EC 1764
- 60/6/2/4 Notebook 1780 - 1798
Record of sealings and fines
White vellum cover marked 1780
See also Ms. 301
- 60/6/3 Papers concerning the Cambridge University Commission
and the Public Schools Commission 1856 - 1869
The Act of 1856 for the 'good government and extension of the
University of Cambridge [and] of the Colleges therein' applied
also to Eton and proposals for reforms of King's College were
inevitably of interest to Eton. The Cambridge University Com-
missioners made enquiries of Eton that were in many respects
similar to those of the Public Schools Commissioners so it is not
surprising that papers relating to the questions from Cambridge
are found with those dealing with Eton's response to the Public
Schools Commission. Appointed on 18 July 1861 and chaired by
Lord Clarendon, this Commission conducted a searching enquiry
into Eton and other schools and the result was the Public Schools
Act of 1868. The papers here reveal also the debate over the Bill

of 1865. An interesting document is the book containing the detailed written answers of Stephen Hawtrey, the Mathematical Master, to the questions circulated by the Commissioners. (See also 60/7/3).

60/6/3/1	Folder of papers relating to the Cambridge University Commissioners, including copies of Bill and Act to Make further Provision for the good Government...of the University of Cambridge, of the Colleges therein, and of the College of ... Eton	1856 - 1861
60/6/3/2	Printed comments on proposed Statutes of King's College	nd
60/6/3/3	London Gazette	12 Feb 1861
60/6/3/4	Petition of King's College Cambridge to the Privy Council (2 copies)	20 July 1861
60/6/3/5	Folders of papers relating to Cambridge University Commission and Public Schools Commission	1856 - 1862
/1	Includes draft letters to the Cambridge Commissioners; resolutions of the College on the composition of the Foundation, 1857; tables and specimens of forms issued by the Public Schools Commissioners; statements on accounts	1856 - 1861
/2	Includes correspondence with the Cambridge Commissioners; Registrar's draft accounts for preparing answers; appendix to the Report of the Public Schools Commission and Eton College's Answers; details of accounts	1856 - 1862
60/6/3/6	Answers supplied by Stephen Hawtrey (1 vol) Includes section of Mathematical School; section of seats and desks; plan and elevation of classrooms; Mathematical report, 1861; arrangement of seats for Trials; seating plan for College Chapel, 25 January 1862	1861 - 1862
60/6/3/7	Draft answers to the Public Schools Commission's questions	nd
60/6/3/8	Appendix to the answers (fair copy with some amendments)	nd
60/6/3/9/1	Answers of Eton College (printed, preceded by ms notes)	nd
/2	(printed)	
60/6/3/10	Minutes of the evidence taken before the Commissioners (printed with ms amendments)	1862
60/6/3/11	Letters, mainly from the Public Schools Commission to the Registrar, concerning administrative matters and queries on accounts supplied (9 items)	1862 - 1863
60/6/3/12	Bundle of drafts of letters and additional information sent to	1863

- 60/6/3/12 cont.
the Public Schools Commission
- 60/6/3/13 Considerations touching the Recommendations of the Public
Schools Commissioners
/1 Winchester College Feb 1865
/2 Eton College March 1865
- 60/6/3/14 A Bill intituled An Act to make further Provision for the March 1865
good Government and Extension of Public Schools (2 copies)
- 60/6/3/15 Extracts from the statutes of Eton and King's College [1865]
showing the identity of the character of the two foundations
(printed, 2 copies)
- 60/6/3/16 Report from the Select Committee of the House of Lords 1865
on the Public Schools Bill with minutes of evidence
- 60/6/3/17 A Bill (as amended in Committee) intituled An Act ... 5 June 1865
- 60/6/3/18 A Bill (as amended by the Select Committee) intituled 22 June 1865
An Act...
- 60/6/3/19 A Bill intituled An Act to make further Provision for 11 May 1866
the good Government of certain Public Schools
- 60/6/3/20 Account of Messrs. Hallows & Carter for work in 1866
connection with the Public Schools Bill
- 60/6/3/21 The Public Schools Act 1868
- 60/6/3/22 An Act for amending the Public Schools Act 1869
32 & 33 Vict. c.58

60/6/4 Precedent Books

- 60/6/4/1 Forest Court Precedents Book 15th cent.
i + 18 + i ff.
Leaves must be missing between ff.10 and 11 where there is
a break in sense and a change from Latin to English.
The first part is a recital of charters of rights and liberties
within royal forests, the second a formulary of writs and
warrants. The volume was noted in Drawer 30 by Thomas Martin.
f.1 Claim of the Dean and Chapter of Salisbury Cathedral to
tithes within the Forest of Windsor
f. 1(v) Claim of the Abbot of Notley to rights of common,
liberties etc. in the forest of Bernewode, co. Bucks.,
and five closes within the forest, 4 Henry VII (1488/9)
f. 3 Form of recognisance: two mancupators for Henry

60/6/4/1 cont.

- Langley, 9 August 1488; start of similar bond for Thomas Abbot of Chertsey; claim of the Provost and College; writ of Richard Duke of York confirming the rights and immunities granted to the College by letters patent of 25 February 1445 and 11 November 1452
- f. 5 (v) Pleas of the Forest of Clarendon alias Paunsett, co. Dorset, 21 August 1485; claim of Sir Thomas Milborne to free warren and fishery
- f. 6 Exemplification of claim by the prebendary of Hurstbourne Tarrant in Salisbury Cathedral of rights in the Forest of Andover descended from the Abbess of Tarrant, 9 August 1477
- f. 7 Exemplification of the confirmation of William Okeden as keeper for life of the bailiffry of Fritham in the New Forest, 1452/3
- f. 8 Pleas; claim of the Abbot of Abingdon within the Forest of Windsor
- f. 9 Notes on processes
- f. 11 Articles of interrogation (in English) on the administration of forest law
- f. 13 Specimens of presentations and warrants
- f. 18(v) Incomplete Charter of the Forest of Henry III, 1217
English preamble; four clauses begun in Latin then translated

60/6/4/2

'Book of forms'

c.1690 - 1862

White vellum binding, ink title on spine.

i + 185 + i ff, 1-38 original foliation and pagination, remainder blank.

2 leaves have been cut out after f.1 and there is duplicate original numbering. References below are therefore to modern (pencil) foliation.

Although primarily a book of forms, in many cases actual examples are used and in some cases (eg the nomination of Matthew Tate to the living of Hitcham by John Hawtrey) the entry appears to be an actual record. The records of expulsions of scholars are all signed by the Provost and Fellows and are not recorded elsewhere.

- f.1 Account of death of Provost Godolphin and election and institution of Provost Bland [1733]
- f.1v Oath taken by Fellows at election of Provost Hawtrey
- f.2 Form of marriage licence and bond and executor's and administrator's oaths and bonds, used by Provost Godolphin
- f.3v Form of letters relating to date of Election, dismissal to King's and summons to Eton
- f.5 Form of nomination to scholarships at Merton College and Pembroke College, Oxford
- f.6 Form of testimonial on taking deacon's or priest's orders