THE FOUNDATION STATUTES OF MERTON COLLEGE, OXFORD, A.D. 1270

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The Foundation Statutes of Merton College, Oxford, A.D. 1270 by Edward France Percival

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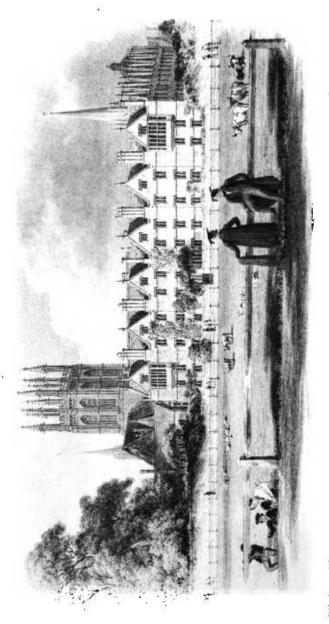
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EDWARD FRANCE PERCIVAL

THE FOUNDATION STATUTES OF MERTON COLLEGE, OXFORD, A.D. 1270

Trieste



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FOUNDATION STATUTES

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MERTON COLLEGE, OXFORD,

A.D. 1270;

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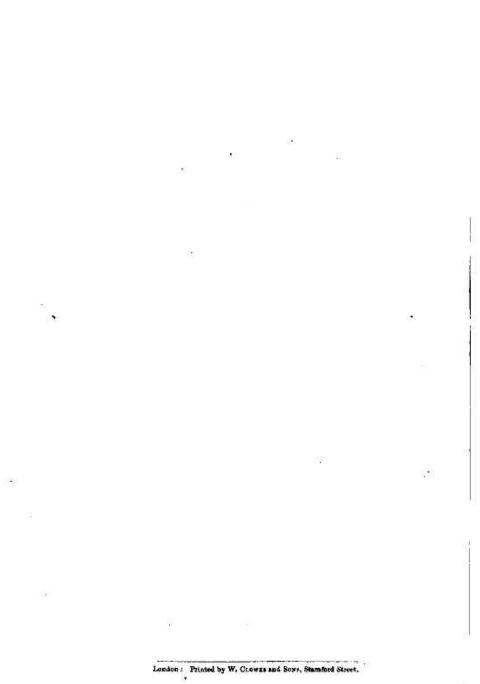
EDWARD FRANCE PERCIVAL, M.A., OF BRASENOSE COLLEGE, OXFORD.

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LONDON: WILLIAM PICKERING, PICCADILLY.

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10

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CONTENTS. .

14 B

•

		2016						
								3
INTRODUCTION, CONTAINI History of Merton								
tion in the Universi	ty at that	t perio	d		×.			
First Licence of the East	rl of Glos	oester	to V	Valter	de M	erton	to 856	ign
his Estates in Surre			0.200 7 0			2.53	- 81 ^{- 1}	•
Extracts from the Firs			tutes	given	to 1	forton	o Colle	ge,
by Walter de Merte			•	•		1.0	÷	
Walter de Merton's Cha	- P.C			20	94	1980		
Second Licence of the R								•
Royal Charter of Found	200.00		7.					•
Charter of the Prior and						the Cl	hurch s	nod
Advowson of Maldo			0.000					<u>,</u> 8
Grant from Heary UI. t			1 0000			CINA	1, 1267	Ĩð.
Grant of the Church of I			0030			323	10	3
Walter de Merton's Rece		12.7.12.2	993-14	g Grai	14.	39	•	×.
Grant of Manors to Mer	ton Colle	ge, 12	68			. 263		
Extracts from the Thir	d Code	of Sta	tates	given	to I	dertor	Colle	ge,
1270	•1;	*	÷.,	•	٠	1	•	•
Confirmation of the Ga Merton after the Wa					made	by 1	Walter	de
Statutes of Walter de Me	erton for	Merto	n Col	lege,	1274	32		÷
Confirmation of the Fou	ndation	of the	Coll	ege b	y Wa	lter d	e Merte	ю,
1274	1 3		24	2,8		183		
Will of Walter de Merto	m, 1275	*	2÷	•0		3.	•	
Confirmation of the Fou	ndation o	of Met	rton (Colleg	e by	the A	rehbish	op
of Canterbury, 1275	i .					٠		•
Oaths for Merton Colleg	е :	8			×.		•	+
Singular Dialogue betw Merton College, wi								
Gate	:55	•		÷		8 9	:0	•
Bull of Pope Nicholas 1 lege, 1280	II., confi	rming	the I	?oand: ,	ation .	of Me	rton C	-lo
Ordinances of Archbishi	p Peckha	m, in	1284	, rem	arkin	g upo	o varie	108
changes in the mode	COLOR STREET, IN	C1.10.101		- 0.0 C C C C				5

÷

3

•

•

CONTENTS.

										- 2	AOE
Release of Prope	rty at	Kib	worth]	fare	oert, I	1309		82			63
Release of Prope	rty st	Gar	nelinga	y, 1	312	. jS	. R.			÷	64
Letter from Edw	ard I	II. to	Pope	John	XXI	I. on b	ehalf	of Me	erton (Col-	
lege, 1331	÷.		39 ²⁰	03		29	13	(\mathbf{s})	1000		64
Ordinances of A:	chbis	hop	Chichel	y, 1	425	390			2.00	×.	65
Extracts from th	е Апс	ient	Registe	r of	Merto	n Coll	ege		100		70
Order of Matthe ing the cal degree of M	ling o	12225		2002 *			1				
Enumeration of	the M	embe	rs of N	[erte	m Col	lege in	1612	15.24		-	77
Agreement conce (portioniste	ming	the	Admis	sion	and				etmas	ters	78
Petition of the certain Coll	Ward		ad Sch	ದ್ರಾಲ್ಯ		ing C	harles	I. a	ontern	ing	10000
Confirmation by	the l	King	of the	An	cient	Posses	sions	of Me	erton (Col-	
lege, and G	rant of	f nev	Right	8			•	0.			80
Ordinances of A	rebbis	hop	Laud, 1	640			•	×	200		81
Note on the Stat	ates of	Me	rton Co	lleg	e, by .	Archbi	shop f	lancr	oft.		96
Particulars of a	Dispu	te co	ncernia	og th	o Ele	ction o	f Felle	wa, 1	679		97
Legal Opinions	88 to	the	Power	of	the Y	Varder	n in 1	the E	lection	a of	

APPENDIX:

No. I.	Personal History of Walter de Merion		•	8	4		111
11.	Meaning of the Words "Domus, Colle	gium	"" \$20.		•3	•	113
Ш.	Object of Walter de Merion's Foundati	an		÷ :		ŝ,	114
17.	Early Importance of Merton College	•	*	*	•	•	116
v.	Admission of Founder's Kin to Fellows	ships				×	116
VI.	Gradual Decline of the College, and its	Cau	986		•		118
VII.	Power of the Visitor in the Election of	f Wa	den				125
VIII.	Merton variations	•	*:			•	126
1X.	Permission granted to Anthony Woo	d to	CODEU	it the	ancie	nt	
	Muniments of the College .	•					127
Х.	Present State of Merton College		÷.	•		÷	128
XI.	Advowsons granted to Merton College	1 22		÷.		2	180

iv

5

2

•

.

Ę

13

124

10

3

INTRODUCTION.

In the annals of the University of Oxford there is no college whose early history affords so much to repay attentive consideration and study as that of Merton. Before the date of its foundation the scholars who attended the lectures of the various learned masters established in Oxford, were either inmates of some monastery or were located in the various hostels or lodging-houses of the city. In the House of Merton we first recognize a permanently endowed foundation for the maintenance and education of scholars unconnected with the monastic orders resident in the university.* By the formation of this and other similarly endowed institutions great assistance was rendered to students; and the state of education and literature was at the same time materially improved in this country, as will be more evident if we take a rapid glance over the early periods of our university history.

There are few authentic records of the University before the middle of the twelfth century, when Vacarius, a professor of civil law at the university of Bologna, established a school in Oxford which soon became very popular. At a time when Rome was the source from whence alone

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^{*} About thirty years before the foundation of Merton College, Allen Basset gave 200 marks to the university committed to the prior and convent of Bioester, for the perpetual exhibition of two scholars for persons who should study in Oxford, or in whatever part of England the university should be located. It will be observed that this exhibition is not vested in the university, but in the monagery.

INTRODUCTION.

ecclesiastical wealth and dignities were to be looked for, both clerks and laymen saw that proficiency in her jurisprudence was a sure road to preferment. The advance of the study of the Roman law was however violently opposed by the great body of the clergy, and they persuaded King Stephen to prohibit its inculcation by public edict, "fearing that through the following of the civil laws, the study of divinity and the liberal arts would be neglected." These fears were by no means groundless ; but the true cause for their apprehension must be looked for in the far-spreading influence of Rome itself, whose encroachments and interference the English clergy ever regarded with a jealous eye. Roger Bacon, writing early in the next century, remarks that " if clerks ought in any wise to use the laws of the country, then is it less inconvenient that the clerks of England use the laws of England, and the clerks of France the laws of France."* The royal edict did not, however, continue long in force; and the study of the laws began soon to rival that of school divinity in public favour. The cause of this popularity, and at the same time the evil consequences to which it gave risc, may be gathered from the language of all contemporary authors, who inveigh bitterly against a science in which " men who had but conquered the rudiments of grammar, and knew how to pronounce and accent words," could rise to eminence, "while those who had spent many years in arts, and had thereupon gained great respect, were now with their doctrine neglected by upstarts." And we cannot wonder that the young student should eagerly exchange the severe and tedious exercises of the schools of divinity and metaphysics for a science whose principles required comparatively so little attention that a very few years' study was sufficient to qualify him for lucrative practice.

At such a period it cannot be expected that the schools of Oxford, though gradually rising into eminence, should send

* In Opere Minore, cap, iv.

vi