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Edited by Henry Anstey

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### Munimenta Academica; or, Documents Illustrative of Academical Life and Studies at Oxford

Henry Anstey (c.1828–c.1914) served as a teacher, curate and chaplain, before becoming a tutor and then vice-principal of St Mary Hall, Oxford. On behalf of the Rolls Series, he prepared in 1868 this two-volume collection of the university's oldest documents in Latin, dating from the thirteenth to the fifteenth centuries. Offering fascinating insight into academic life in medieval Oxford, this does not constitute a history of the university, but it remains an important resource for researchers, comprising registers, letters, university statutes and details of expenses entailed by the 'usual festivities' after examinations. Volume 1 includes, in addition to the chancellors' and proctors' books, Anstey's extensive introduction, in which he offers a brief background history and describes his struggles in establishing so far as possible a chronological order for the contents, and in dealing with the 'utterly illegible, torn, faded, and stained' condition of his sources.

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# Munimenta Academica or, Documents Illustrative of Academical Life and Studies at Oxford

VOLUME 1:  
LIBRI CANCELLARII ET PROCURATORUM

EDITED BY HENRY ANSTEY



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RERUM BRITANNICARUM MEDII ÆVI  
SCRIPTORES,

OR

CHRONICLES AND MEMORIALS OF GREAT BRITAIN  
AND IRELAND

DURING

THE MIDDLE AGES.

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**THE CHRONICLES AND MEMORIALS**  
OF  
**GREAT BRITAIN AND IRELAND**  
DURING THE MIDDLE AGES.

PUBLISHED BY THE AUTHORITY OF HER MAJESTY'S TREASURY. UNDER  
THE DIRECTION OF THE MASTER OF THE ROLLS.

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ON the 26th of January 1857, the Master of the Rolls submitted to the Treasury a proposal for the publication of materials for the History of this Country from the Invasion of the Romans to the Reign of Henry VIII.

The Master of the Rolls suggested that these materials should be selected for publication under competent editors without reference to periodical or chronological arrangement, without mutilation or abridgment, preference being given, in the first instance, to such materials as were most scarce and valuable.

He proposed that each chronicle or historical document to be edited should be treated in the same way as if the editor were engaged on an *Editio Princeps*; and for this purpose the most correct text should be formed from an accurate collation of the best MSS.

To render the work more generally useful, the Master of the Rolls suggested that the editor should give an account of the MSS. employed by him, of their age and their peculiarities; that he should add to the work a brief account of the life and times of the author, and any remarks necessary to explain the chronology; but no other note or comment was to be allowed, except what might be necessary to establish the correctness of the text.

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The works to be published in octavo, separately, as they were finished; the whole responsibility of the task resting upon the editors, who were to be chosen by the Master of the Rolls with the sanction of the Treasury.

The Lords of Her Majesty's Treasury, after a careful consideration of the subject, expressed their opinion in a Treasury Minute, dated February 9, 1857, that the plan recommended by the Master of the Rolls "was well calculated for the accomplishment of this important national object, in an effectual and satisfactory manner, within a reasonable time, and provided proper attention be paid to economy, in making the detailed arrangements, without unnecessary expense."

They expressed their approbation of the proposal that each chronicle and historical document should be edited in such a manner as to represent with all possible correctness the text of each writer, derived from a collation of the best MSS., and that no notes should be added, except such as were illustrative of the various readings. They suggested, however, that the preface to each work should contain, in addition to the particulars proposed by the Master of the Rolls, a biographical account of the author, so far as authentic materials existed for that purpose, and an estimate of his historical credibility and value.

*Rolls House,  
December 1857.*

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OR  
DOCUMENTS  
ILLUSTRATIVE OF  
ACADEMICAL LIFE AND STUDIES  
AT OXFORD.

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PART I.  
LIBRI CANCELLARII ET PROCURATORUM.

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BY  
REV. HENRY ANSTEY, M.A.,  
VICAR OF ST. WENDRON, CORNWALL,  
AND LATELY  
VICE-PRINCIPAL OF ST. MARY HALL, IN THE UNIVERSITY OF OXFORD.

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LONDON:  
LONGMANS, GREEN, READER, AND DYER.

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1868.

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INTRODUCTION.

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## INTRODUCTION.

THE work which is here offered to the public is a collection of documents various in their nature both as to subject and antiquity. The period of time which they cover is little less than three hundred years.

In the first place some account shall here be given of the MSS. from which the following pages are derived.

It will be found that throughout the work reference is given on the margin of the pages, in the case of almost every separate article, to the MS. and folios of the MS. from which such article is transcribed. Thus the letters A., B., C., D., F., CC., Aaa., Aa. indicate several MS. volumes so marked on their cover, and referred to in other works, as well as in this, by those letters. Of each of them a short description shall be attempted.

Of these MSS. A. is by far the most important. It is a small quarto volume bound in leather and consisting of about one hundred leaves.<sup>1</sup> The writing is of various periods, the oldest in the volume not being earlier than the year 1350. The greater portion is of considerably later date: the various articles are, however, by various hands and cannot be with certainty referred to any exact date, except when such date happens to be given in the article itself. The several antiquaries, who have handled the volume, do not seem to agree

<sup>1</sup> With some more modern additions, which have been bound up with the original leaves, there are about 130 folios.

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as to its antiquity; for on the first leaf is written, "*Liber Vice Canc. Oxon scriptus manu originali de anno Domini 1375, ut liquet p. 13, Edwardi III. 49º.*" Another hand adds, "*Yet see things written here in hands ancienter than that time on pp. 7, 28, 47, 65, 68, 91, 209, 75, 80.*" And a third writes below, "*Hæc dicta sunt ex sententia clarissimi antiquarii Briani Twyni S. T. B. cujus nota hæc est, licet minus probabilis et cui fides hæud facile adhibenda.*" These three notes were written, it would seem by the character of their hand, by Antony Wood, Bryan Twyne, and William Smith, of whom the two latter were keepers of the archives of the University, and the last especially to be trusted.

Its probable  
age,

In assigning, therefore, the date 1350 as that of the most ancient MS. we shall not, probably, understate its antiquity.

and contents.

This MS. volume is commonly known as the Chancellor's or Commissary's book, the title of "Vice Chancellor" not occurring earlier than the year 1450 or thereabouts. It is, though not of great antiquity, truly a venerable and curious volume, written in and handled by the successive chancellors and their commissaries, consulted on every emergency, referred to in every difficulty, accepted as a final authority in every disputed case which arose for centuries. How many illustrious men have pored over it, in how many scenes of interest has it not borne a part, in how many rooms of long defunct and scarce remembered halls has it not been treasured! And yet it is in no sense to be regarded as an original, as will be seen when its contents are further described. On opening the volume the first document we find is one of the year 1575, being an "*Inspeximus*" of Queen Elizabeth. This, of course has been omitted in the following work, along with all other articles of later date than the period of time embraced in the scheme of this series: next follows

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an indenture between the University and the town, of the year 1458, which will be found in its proper place in this volume: then follows the calendar, which is of not a later date than 1420, and probably it is earlier than that time: it is terribly damaged by erasures and blots throughout, so much so indeed that without the assistance afforded by the other calendars in B. & C. it would not have been possible to reproduce it as has been done in this work: at the top of the calendar for each month is a Latin doggerel rhyme, which is however so far obliterated that it is beyond recovery and has been therefore omitted in this work. Immediately following the calendar is a very rude illuminated picture of the Crucifixion, the full size of the page, the legend below which has been carefully erased. It is indeed evident that the whole volume has been most shamefully maltreated at some period posterior to the Reformation: in all instances where the name of the Blessed Virgin Mary occurs, that name has been erased or obliterated, along with other expressions<sup>1</sup> which offended the mind of those into whose hands the MS. had then fallen. This alone would have defaced it considerably, but this is only a small part of the damage that it has sustained. In many parts of the volume a whole folio is obliterated, and very much more frequently a whole statute or other article. This has been done probably from various reasons; sometimes, no doubt, because the particular statute in question had been superseded; sometimes, there is too much reason to think, because its provisions<sup>2</sup> were not acceptable to the possessor of the book for the time being; but the majority of the obliterations have in all probability been caused by treating the pages too freely with galls, which rendered the faded portions legible for the time, but shortly after

Mutilation of  
the MS.

<sup>1</sup> For instance, the name of S. Thomas of Canterbury has been always so treated.

<sup>2</sup> See p. 187.

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in Archbishop Laud's time. left them almost black. This sad destruction appears to have been effected in Archbishop Laud's time, when the whole statute book was revised and the old book transcribed for reference.

Late transcript of, in the Bodleian Library. The transcript of A. then made still exists in the Bodleian Library, it is marked E., and has been constantly referred to by the editor, but in no case used as an authority.

The passages obliterated, as described, have been scrutinized with the greatest care, and, by here and there tracing the outlines of the letters and comparing the result with the MSS. B. and C., most of the destroyed portions have, it is hoped, been once more brought to light; some, however, are undoubtedly lost irretrievably, and a short time more would have sufficed to render illegible much that has now been preserved.

Following the calendar are some notes apparently for its use; these will be found in Part II., of this work [pp. 370-373]. Next in order in the MS. come several charters by "*inspeximus*", of successive sovereigns, and with them, and also scattered here and there throughout the volume, a number of patent letters of the several sovereigns addressed to the University. Of these charters and patent letters no notice has been taken in preparing the present work, excepting a few given in the Appendix, which, it is thought, have not yet been printed, and which are not mentioned, unless the editor has overlooked them by accident, in the catalogue published a few years ago by the University Commissioners. The bulk of the articles in A., which are printed in the present work occur in the middle of the MS. volume; they are followed in the MS. by several Papal bulls, which, as being accessible elsewhere, have also been omitted here; by a list of the Chancellors of the University, of rather late date, and of no authority, except so far as corroborated from other sources; by a few scattered

Portions of the MS. not edited here.

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notes as to assize of measures, &c., and price of wheat; and, lastly, by a collection of comparatively modern statutes—of the years 1564–5, according to Bryan Twyne’s opinion—which have been added to the volume, and bound up with it on the occasion of its last binding, as it would seem. The “*inspeximus*” by Queen Elizabeth, which stands at the commencement of the MS., as stated above, was evidently there placed at the same time. The original binding of the volume was, it is known, far more costly than the present, and ornamented with a silver clasp. The book was solemnly delivered to each succeeding Chancellor on his election, along with the other insignia (see p. 284), and by him similarly surrendered at the expiration of his term of office.

Next in order is the MS. marked B., known as the <sup>The Southern</sup> Senior or Southern Proctor’s book. This is a larger <sup>Proctor’s book.</sup> volume than A., but contains almost exactly the same matter, with, however, some additions and some omissions. Almost the exact date of this MS. is known; for the expenses of the production of the volume are to be found in the Archives of the University, where the following particulars, under the year 1477, occur.

	£	s.	d.
Item, pro scriptura et materia Libri			
Procuratoris - -	3	17	4
Item, pro laminatione ejusdem libri	1	5	8
Item, pro ligatura ejusdem libri - -	0	7	2
Item, pro pare plusculorum ejusdem libri - - -	0	12	0
Item, Procuratori et aliis magistris pro copia supervidenda ejusdem libri, ut patet auditoribus	1	3	4
Item, pro laboribus scriptoris pro perquisitione copię ejusdem libri, ut placet iudicibus - -	0	3	4
	<hr/>		
	7	8	10

b

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It must be admitted that the Proctor and Masters who superintended the work were exorbitantly remunerated, for a MS. more full of blunders, both clerical and grammatical, can hardly be found.

The binding here spoken of has long been lost, as also have the clasps, and at present the volume is heavily bound in rough calf.

The Northern  
Proctor's book,

The third is MS. C., known as the junior or Northern Proctor's book. This is similar in appearance to the preceding, but of considerably earlier date, and has, of course, like B., been rebound at a comparatively recent time. It was caused to be written by Richard Fleming, afterwards Prebendary of York, and later, Bishop of Lincoln, during his proctorship in the year 1407. (See p. 237.)

Superiority of  
to the other  
two.

It is hardly too much to say that without the assistance afforded by collating this MS. with the two above-mentioned, the work now offered to the public, could with difficulty have been completed. In C. there is some attempt at arrangement, as will be seen by the account given of its contents in the introduction to it, which will be found in its proper chronological place in this volume (pp. 237-9). Perhaps it would be more correct, or at least would give the reader a better idea of the MS., to say that some arrangement was originally attempted both in this and in A. and B.; but that in C. the order has been less interfered with by insertion of new matter after the original writing was completed, or by erasure of older matter and introduction of new folios.

The present state of all these MSS. is a perfect mass of confusion; statutes relating to one faculty mixed up with those of another, without any regard to order or facility of reference.

Re-arrange-  
ment of con-  
tents of the  
MSS.

It will, perhaps, be asked why the preface to C. (p. 237), was not prefixed to this work or to C. itself. The answer is that, so far as practicable, it has been the editor's aim to arrange the contents of A., B., and

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*C. chronologically.* The three MSS. are in fact one work, or rather three copies of one work. The main interest attaching to their contents is to be derived from the time at which they were respectively written. It is greatly to be regretted that so little certainty is attainable as to the real date of a large proportion of the contents. The aim, however, of the present work has been to arrange the several statutes in order of time. This has been attempted by taking those, which have dates contained either in their preamble or at their conclusion, and using them as examples by which to judge of the date of the others. This will be thought not a very sure guide, and it is readily admitted that it is not, but more accuracy was attainable, it is hoped, by this plan than may be supposed. For, as we have already noticed, the statutes in A. are written in various hands, and these of very distinct character in many cases. Here, therefore, there has often been found a tolerably fair ground for assuming the contemporaneity of other statutes without date which appear in the same hand.

Other criteria have been also used in endeavouring to approximate to the real dates, indications which would probably seem trifling to the ordinary reader, but which have a real value in the eye of one who studies the same MSS. for months or even years; gradually one acquires a power of discerning objects where at first all seemed impenetrable night; traces of agreement and resemblance become more and more distinct by comparison, and parts, which at first appeared utterly incongruous, bear marks which fairly entitle them to be considered as a whole.

The editor is, however, as conscious at least as any of his readers can be that probably very many errors are to be found in his attempt at chronological arrangement. He is not the first who has attempted to arrange the matter of these MSS. One such attempt in MS. [E.] has already been alluded to, which still exists in

has been before  
attempted un-  
successfully.

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the Bodleian Library; of its value as a guide to chronology of the statutes there can be but one opinion, it is wholly useless; in fact, such an arrangement does not appear to have been attempted, but given up in despair. Another such attempt, if such it can be called, was made on the occasion of the late commission, and two or three copies of the result were printed; one was lent to the editor by the present Bishop of Peterborough. The three MSS. hitherto noticed form a collection of themselves, and are preserved among the archives of the University. They were originally, as has been stated, the property of the chancellor and proctors for the time being; but, when their contents (practically if not legally) were superseded, as was presumed, by the Laudian code, they ceased to be used, except occasionally for reference, and have long become rather literary curiosities than books of practical use. They form the basis of the present work.

Other MSS.  
used in this  
work.

Next we proceed to mention the other MSS. which have been used. Of these the first is that known as D. It is a smaller volume than any of the preceding, consisting of about one hundred leaves of parchment, thickly bound in wood covered with leather, and with brazen clasps. This MS. is not a portion of the University archives properly so called, being now in the Bodleian Library, and accessible to ordinary readers there. It appears to be simply another proctor's book, by whom written, or when, there is nothing to show, except its appearance; from this it would appear to be of about the same date as C. It is a singularly careless performance, written in one uniform hand throughout, with few and poor illuminations; the words are unusually abbreviated and difficult to decipher; there is no attempt whatever at arrangement, but a rude index is given at the end. The contents are for the most part the same with those of A., B., and C. but with some additions, and they of a very interesting

D. is a  
Proctor's book.

Its description.



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nature ; these will be identified by the reader by the reference being made, to D. only, on the margin.

C.C. is a MS. volume of the latter end of the fifteenth century, somewhat similar in general appearance, and also in contents, to A., B., and C. ; but it contains somewhat less matter than any of those three MSS., and not nearly so much as the three collectively. It is in very good condition and very legibly written, but full of clerical errors. It would appear that this MS. and D. have been transcribed by or for some chancellor or proctor and kept for their private use, and have thus found their way into private collections ; and thence to the public libraries. D. being now, as above stated, in the Bodleian Library, and C.C. in the British Museum. [Claudius D. 8. Cott. MSS.]

C.C. is of the same nature, and contains similar matter.

This is the last of the MSS. which the editor has been able to discover, of the “Chancellor’s and Proctor’s” books.” It is the least valuable of them all, and has not been collated throughout, as the other four MSS. have been, in the preparation of these volumes.

It remains now to notice the other MSS. here used. These are marked and generally known as F., Aaa., and Aa., and may be described as register books of the University. The first [F.] is a thick volume of parchment bound in leather with brazen clasps, and contains, interspersed with other matter, a series of letters from and to the University, all of the fifteenth century. It is written throughout apparently by the same hand, at least by far the larger proportion would seem to be so ; nearly the whole is much faded, full of abbreviations, and very difficult to decipher. The letters, &c. are nearly five hundred in number, many of them very curious. The volume also contains the two catalogues of books given by Humfrey, Duke of Gloucester, to the University ; and the annual entries of payment of money to the University by the Abbays of Eynsham and Oseneye. A large number of the letters are “letters testimonial” of the University granted to

Farley’s Register, a volume of letters.

Description of the MS.

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Edited by Henry Anstey

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various members and recommending them to bishops and other magnates. This register was transcribed from the original letters, presumed to be destroyed when the register was made, by Farley, the scribe of the University at the time. It has only been used in the present work for the purpose of publishing the Catalogues of Duke Humfrey's books, which will accordingly be found in Part II. of this volume. The editor has, however, read and catalogued almost the whole, with a view to an extension of the work now edited, at a future period. The letters are principally in Latin, though here and there occurs one in English.

Acts of the  
Chancellor's  
Court.

The MS. Aaa. next requires notice. This is a volume of similar size to the others, but containing a much larger amount of matter; it has about two hundred and eighty folios, closely written, and consists of the proceedings in the Chancellor's Court from the year 1434 to the year 1469, except the years 1440-1441. The whole is written on paper, without any attempt at ornament or illumination, and in the most slovenly manner possible. The proceedings at each sitting of the court are entered by the Chancellor, or his commissary for the time, in his own handwriting, hence the volume is curious as a repertory of autographs of that period. Some of the hands are well known, as that of Dr. Gascoigne; which presents a singularly bold and irregular appearance. In this MS., as also in all, (but less so in F. than in the others) the folios have more than one pagination. The loss of some folios has rendered a fresh set of figures necessary. This produces not a little confusion in referring to the originals. To the editor this MS. has proved the most interesting by far, and he only regrets that he has not been able to publish the whole in the present series. Several specimens, however, of each species of matter entered in the register have been given in this work, and pains have been taken to select those which seemed to present the greatest features of general interest. A great deal will

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here be found illustrative of the actual private life of the members of the University at the time ; for instance we are here able to see, enumerated with perfect distinctness, the articles of furniture which were contained in the *camera* or “rooms”<sup>1</sup> of a scholar of the fifteenth century ; his books, his dress, not seldom his debts, his quarrels, amusements, &c. will be incidently sketched or detailed. Several wills are also given, not because wills of that period are in themselves a rarity, for the editor is well aware that good specimens have already been published ; but he believes that not a little will be found in those printed in the present volumes which will bring to light facts, certainly not generally known, as to the state of the Universities ; curious details about sickness, expenses, books, debts, funerals, exhibitions to poor scholars and servants for their maintenance at the University, with a variety of other matter, which will be noticed, as we proceed, more in detail.

Aa. is a similar but smaller volume, also written on paper. It is much damaged and often utterly illegible, torn, faded, and stained. It is a register of the Convocation of the University, and is chiefly, therefore, composed of the various *graces* granted therein. A few of the more curious of them, either as containing information relating to studies requisite, or conditions upon which the *grace* was granted, have been selected for the present purpose. The date of this volume is the same, or nearly so, as that of Aaa.

Register of Convocation.

Here then the list of original MSS. made use of is complete.

As it is commonly supposed that there are a great number of MS. volumes, relating to the University, in its possession, it may be as well perhaps to correct or at least to modify that impression. There are, the

The materials for an extension of this work existing

<sup>1</sup> More properly “room ;” in those times a several sleeping apartment | was certainly the greatest amount of indulgence.

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editor believes, no MS. volumes in "the archives" of the University older than those transcribed and collated here; and those here used are *all that exist down to that date*, after which there follows a regular succession of registers.

There is, of course, a vast quantity of *deeds* of various kinds, though, it is believed, none are very ancient, not more so than the beginning of the thirteenth or end of the twelfth century; but of this the editor cannot speak with certainty, at least not from personal examination.

Registers prior to fifteenth century lost.

Thus, no register, with the exception of those here used, and no collection of letters, is to be found until the fifteenth century. Whether any such MSS. ever existed, and, if so, what has become of them, is not perhaps altogether a futile inquiry; probably they perished from having been originally written on loose sheets and never being gathered into a volume; for we find that in the case of the statutes it was provided that the proctors should, under a penalty, enter in A., B., and C. the several statutes as they were passed, within fifteen days from their passing (p. 253). We several times also find notices of "quaterni" or sheets, on which registers were kept (p. 285), and of the "liber ruber" (p. 486). However, the lapse of time itself will sufficiently account for the loss, and the editor mentions the subject here in the hope only that inquiry may be stimulated, believing as he does, that it is *possible* that considerable portions of such registers may yet exist in the form of loose sheets in private collections.

MSS. relating to the halls.

The loss most to be deplored, however, is that of all trace of any MSS. belonging to the numerous halls; and yet each must have possessed, and we know did possess its own registers, and, no doubt, its "acta," &c. What a mass of information as to the detail of University life, or even of mediæval life generally, would have been here afforded! It seems well nigh impossible

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that, even putting the halls at the modest number of one hundred, so large a quantity of MSS. as must have existed should have utterly perished: one would suppose that the families of the various principals or the colleges<sup>1</sup> into whose possession the buildings passed, would have retained the papers of the last principal of each hall as it was in its turn swallowed up in the advancing tide of the colleges, which, as they were successively endowed and gradually extended, enclosed within their limits the sites of by far the larger portion of the old halls. Hitherto, however, no such memorials of the halls have been met with.

The present would seem to be no improper place for the mention of other MSS. in connexion with the subject, of which no use has been made by the editor of the present volume, and from which it is possible that matter hitherto unpublished may be derived.

And first, to speak of what may still remain at Oxford unexplored, it is possible that in the Bodleian Library something may still be found, more likely, however, in the several colleges, stored in the muniment rooms and never seen, or effectually concealed by being bound up with other loose sheets, papers *may* yet remain which would repay the labour of the antiquary. The editor, however, believes that the resources of the University in this respect are very considerably overrated by those who have had no experience in such investigations; he has himself found little or nothing of value in the places indicated, and is inclined to think that if there are any important original MSS. relating to mediæval Oxford, which have not hitherto been published, besides those now edited, or mentioned

Other possible sources unexplored.

<sup>1</sup> That the muniments of one hall, called "Le Bedyllhall," passed into the possession of Queen's College we know from a note in MSS. Aa., fol. 73. There *was* also in the

School's tower a MS. called by B. Twyne *visitationes aularum cum articulis*; which has now been missing since 1818. These are specimens of a large class of MSS.

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in the foregoing remarks, they are to be found elsewhere and not at Oxford.

The collections  
of Hare and

Of *Transcript* MSS. there are several at Oxford, which, or at least parts of which, ought to be published. In the first place there is Hare's collection of the liberties and privileges of the University. This contains all the royal letters and charters up to the collector's time; no complete printed copy of these exists. The most voluminous and most valuable, however, are the collections of Brian Twyne; considering the early age at which this laborious antiquary died, it is truly amazing that he should have been able to write so vast a quantity, collected too, as a great deal of it is, from distant places. His MSS. consist of ten thick quarto volumes; the materials are collected from all sources, and there is no doubt they were the real authorities of Antony Wood's *History*. They are mentioned here principally because they contain extracts from the registers of the Bishop of Lincoln and the Archbishop of Canterbury, and from other episcopal registers, the publication of which, or such portions of them as relate to the Universities, would very likely prove to be a valuable addition to our present knowledge; at least they would be originals.

Brian Twyne.

The registers of  
Lambeth and  
Lincoln.

Besides these, there is in the School's tower, or was, a smaller quarto MS. volume written by a Mr. Winsor, but it is only a modern production and of no sort of historical value, and is only mentioned here lest it should be supposed that it had been overlooked.

In the British Museum there are two MS. volumes containing matter relating to our subject: Vitellius E. 10. Cott. has a number of letters of Gilbert Stone and of the University. Faustina C. 7. Cott. is a transcript of several ancient documents, and a number of original letters of the fifteenth century. Whatever in these two volumes is worth printing will more properly be placed along with the letters in F. if that MS. should ever be edited.