

## The Legatine Award to Oxford in 1214 and Robert Grosteste

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A LEGATINE ordinance of 1214<sup>1</sup> wrote Dean Rashdall '... addressed to the burgesses is the first document in the nature of a charter of privilege which the University of Oxford can boast'.<sup>2</sup> It is the earliest formal document about the organization of the University, and contains the first reference to the office of chancellor. The document is clearly the result of some hard bargaining; but the stages in its negotiation have not been worked out. Neither the date nor the name of the University's first chancellor has so far been established. Six years ago Mrs. Cheney printed a document which showed that *mag.* Geoffrey de Lucy (later dean of St. Paul's) was chancellor of the University before August 1216;<sup>3</sup> but the far-reaching implications of this discovery have yet to be fully explored.

The first question to consider is the date when the title of the head of the University was changed from *magister scholarum* (or *rector scholarum*) to *cancellarius*. The appendix lists the references to these offices in chronological order: *mag.* John Grim as *magister scholarum* in 1201; *mag.* Alardus as *rector scholarum* in May 1210; then *mag.* Geoffrey de Lucy as *cancellarius* before August 1216; and 1221 (nine instances, in one of which the chancellor's small seal was used); 1222; 1225; 1228 (two); 1229; 1231, etc., all as *cancellarius*. The title changes during a gap in the evidence between May 1210 and August 1216. But this gap may be narrowed by taking into account the movements of Hugh of Wells who, as bishop of Lincoln, had to make the appointment. Hugh of Wells was consecrated bishop of Lincoln by Stephen Langton at Melun on 20 December 1209, and did not return to England until 16 July 1213. He was again abroad attending the fourth Lateran Council in November 1215 and apparently did not return to England until 1217.<sup>4</sup> Consequently *mag.* Geoffrey de Lucy must have been confirmed as chancellor by September 1215;<sup>5</sup> and the change of title from *magister scholarum* to *cancellarius* must have been made between July 1213 and September 1215.

There is a well known but undated passage about Robert Grosteste's appointment to the office. On 11 February 1295 a deputation from the University attended Oliver Sutton then bishop of Lincoln to seek his confirmation of the University's election of *mag.* Rogerus de Wesenham as chancellor. During the customary double talk<sup>6</sup> about whether the chancellor was *electus* (i.e. chosen by the University) or *nominatus* (i.e. chosen by the bishop) Oliver Sutton remarked:

<sup>1</sup> *The Universities of Europe in the Middle Ages* (1936), III, 34-5.

<sup>2</sup> *English Historical Review*, LXXII (October, 1967), 750-63.

<sup>3</sup> C. R. Cheney, *English Bishops' Chanceries* (1950), 105 n. 2.

<sup>4</sup> This date is further discussed below, p. 70.

<sup>5</sup> On the form of which, see H. E. Salter, *Snape's Formulary* (1924), 40-41.

Et episcopus adiecit quod beatus Robertus quondam Lincolnensis episcopus qui huiusmodi officium gessit cum in Universitate predicta regebat, in principio creationis sue in episcopum dixit proximum predecessorem suum episcopum Lincolnensem non permisisse quod idem Robertus vocaretur cancellarius sed magister scholarum.<sup>6</sup>

And the bishop added that blessed Robert formerly bishop of Lincoln [i.e. Grosteste], who filled this sort of office while he was teaching in the aforesaid University, said at the beginning of his term as bishop<sup>7</sup> that his immediate predecessor as bishop of Lincoln [i.e. Hugh of Wells] did not allow him to be called 'cancellarius' but only 'magister scholarum'.

This passage establishes three points :

(a) That Grosteste was *magister scholarum* not *cancellarius*. His appointment must therefore precede *mag.* Geoffrey de Lucy's term as *cancellarius* which had started by September 1215.<sup>8</sup>

(b) There would be no point in Hugh of Wells refusing the title of *cancellarius* if he had not been asked for it. So the University presumably did ask for it, that is they had elected Grosteste as *cancellarius*.

(c) The University could hardly have chosen anyone as their head before October 1214 when they re-assembled after more than five years dispersion.<sup>9</sup> This restricts the possibility of Grosteste's tenure of office to the twelve months from October 1214 to September 1215.

It has often been said that the office of chancellor of the University was instituted by the award of the papal legate.<sup>10</sup> The award is dated 20 June 1214 ; but the conclusion from the three preceding paragraphs is that Grosteste was only *magister scholarum* from about October 1214 for less than a year. The dates do not seem to fit ; and it is therefore necessary to consider in some detail the legate's award and the circumstances in which it was made.

The relevant documents (which are all in the University Archives) are :

(i) The award dated from Sempringham on 20 June 1214. The seal is missing.  
(ii) The same text, with two slight alterations to be considered later, dated from Ramsey on 25 June 1214. This has the legate's seal.

(iii) A letter from the legate to the bishop of Lincoln, dated from Ramsey on 25 June 1214, sending a copy of the award.

(iv) A charter of the Abbey of Eynsham undertaking to pay every year the 68s. 8d. which the Town of Oxford had sworn to pay, undated but assigned by Salter to about July 1214, with the seals of the abbot and the abbey.

(v) A draft of the charter to be issued by the Commune of Oxford, never sealed, about August 1214. Salter identified the hand as that of the clerk who kept the Institution roll of the bishop of Lincoln in 1214.<sup>11</sup>

<sup>6</sup> Salter, *op. cit.*, 52.

<sup>7</sup> This would be late in the year 1235, possibly when Grosteste was confirming St. Richard Wyche as chancellor.

<sup>8</sup> If we suppose that *mag.* Geoffrey de Lucy was chancellor before Grosteste, it would mean that the bishop of Lincoln changed his mind three times.

<sup>9</sup> This point was made by D. A. Callus, *Oxoniensis*, x (1945), 48.

<sup>10</sup> e.g. by Salter (*Snappé's Formulary*, p. 318) and by Callus (*ibid.*, 48).

<sup>11</sup> Salter, *Medieval Archives*, i, 7.

All these documents were originally deposited at Lincoln and there is a certificate by the sub-dean and chapter of Lincoln that no. iv. at any rate was still there on 31 August 1350.<sup>12</sup> It is not known when they were transferred to the Archives of the University of Oxford, but probably soon after the papal bulls of 3 November 1367 and 10 February 1370 had ended the bishop of Lincoln's rights over the chancellorship. All the documents have been printed by Salter in *Medieval Archives of the University of Oxford* (Oxford, 1920), I, 2-10.

The legatine award consists of eleven injunctions which are here abbreviated and numbered for ease of reference :

1. For the ten years following Michaelmas 1214 the rent of halls let to scholars, and already rated before the recess by agreement between the scholars and townsmen, is to be reduced by half.

2. The rent of these halls for the second decade following the first [i.e. 1223-1233] is to be the same as it was before the recess.

3. The rent of halls built or altered since the recess, and not yet assessed by four masters and four townsmen, is to be assessed in that way, and these halls let at the agreed rent for both decades.

4. The Town of Oxford is to pay 52 shillings a year for ever for the use of poor scholars : 26 shillings on the feast of All Saints and 26 shillings on Ash Wednesday each year.

5. The Town is to provide a feast for a hundred poor scholars on St. Nicholas Day each year.<sup>13</sup> (Bread, beer, soup, and a dish of flesh or fish : cost 2d. a head = 16s. 8d.)

6. The townsmen are to swear that they will sell victuals and other necessities to scholars at a just and reasonable rate.

7. If the townsmen arrest a cleric, he is to be handed over immediately on request to the bishop of Lincoln's representative.

8. Fifty of the more important townsmen are to swear faithfully to observe these injunctions, and as many townsmen as the bishop of Lincoln decides shall renew the oath each year.

9. The townsmen shall execute a charter embodying these articles and sealed with the seal of the Commune ; and deliver it to the bishop of Lincoln.

10. Masters who irreverently ('irreverenter') lectured during the scholars' recession are to be suspended from teaching for three years.

11. Everyone concerned in hanging the clerks shall come humbly to the clerks' graves, barefooted and ungirt, without caps or cloaks, with the community following them, and bear the bodies of the clerks to be buried with honour and reverence in the churchyard where the clergy shall have provided.<sup>14</sup>

The award is for the most part tersely phrased but in three clauses (nos. 4, 5 and 7 above) a cumbersome phrase is used to define who is to control the money

<sup>12</sup> *Ibid.*, i, 148.

<sup>13</sup> St. Nicholas's Day is 6 December. The exact day in December 1208 on which the clerks were hanged is not recorded ; but presumably St. Nicholas's Day was chosen for the feast because it was the anniversary of the execution.

<sup>14</sup> Roger of Wendover (*Flores Historiarum*, (Rolls Series) ii, 94) gives further details of this ceremony. The townsmen were to go in procession to each of the city churches, with whips in their hands, and with Psalm 50 [nowadays no. 51 in the Authorized version], beseech absolution from their parish priests.

paid each year for the use of poor scholars, who is to select the hundred poor scholars to be feasted on St. Nicholas's day, and who is to claim clerks arrested by the townsmen. Clause 4 is to be implemented 'de consilio venerabilis fratris Hugonis tunc Lincolniensis episcopi & successorum suorum vel archidiaconi loci seu eius officialis aut cancellarii quem episcopus Lincolniensis ibidem scolaribus preficiet'. 'By the counsel of venerable brother Hugh bishop of Lincoln and his successors or the archdeacon of the place or his official or the chancellor whom the bishop of Lincoln will set over the scholars there'. In clause 5 the same formula is used again except that after the archdeacon's official we find 'aut ipse cancellarius vel alias ad hoc ab episcopo Lincolniensi deputatus' 'or the chancellor or anyone else deputed for this by the bishop of Lincoln'. In clause 7 the same formula appears again except that after the archdeacon's official it runs 'vel a cancellario seu ab eo quem episcopus Lincolniensis huic officio deputaverit' 'or by the chancellor or by him to whom the bishop of Lincoln shall have delegated this duty'.

Nowhere in these phrases, nor elsewhere in the award, does it say that a chancellor has been appointed. Nor does the document commit the bishop to making any such appointment. The bishop has five options: he may perform these duties himself or by the archdeacon of Oxford or by his official or by the chancellor which he will set over the scholars or by anyone else whom he may appoint for the purpose. The award does not lay down which of these options the bishop is to select. Nevertheless it is manifest that the possibility of the bishop appointing a chancellor for the University had been discussed during the negotiations. Such a demand can only have come from the side of the dispersed scholars; but, since Hugh of Wells would not then agree to the creation of a university chancellor, the award had to include these cumbersome phrases as a compromise which left the question open. The situation indeed corresponds exactly to that reported by Oliver Sutton, mentioned above.

The legate arrived in England during September 1213. He came with only seven riders but soon had fifty, and his proceedings were hampered beyond measure by the large size of his household.<sup>15</sup> His itinerary has been worked out by Helene Tillmann.<sup>16</sup> He was still at Westminster on 3 October 1213; and it was there that the townsmen of Oxford sent a deputation to ask absolution for hanging the clerks.<sup>17</sup> He was at Wallingford on 31 October where King John was to discuss the restitution of ecclesiastical revenues seized during the interdict. King John was delayed and the legate was still at Wallingford on 5 November. He was at Oxford on 16 November. He went as far north as Durham and York in February 1214, and as far south-west as Glastonbury in April. In the second half of May he was again in Oxford; on 28 May 1214 he was at Tewkesbury; 10 June at Eton; 20 June at Sempringham where he issued the award with which we are concerned; 25 June at Ramsey Abbey; 2 July in London; before 10 August at St. Alban's Abbey, when Roger of Wendover may have talked to his entourage and heard the details of the award to Oxford six weeks earlier. The legate left England at the end of November 1214. If he visited Lincoln, there is no record of it.

<sup>15</sup> 'Legatus itaque cum septem tantum equitaturis in Anglia veniens, quinquaginta in brevi et familia multa nimis stipulatus incessit' (Roger of Wendover, *Flores Historiarum* (Rolls Series) II, 94).

<sup>16</sup> *Die Päpstlichen Legaten in England*. Bonn dissertation (1926), pp. 105-106.

<sup>17</sup> Roger of Wendover, *loc. cit.*

At the beginning of October 1213 the Town of Oxford's request set the legate a problem. There was no doubt that the Church would be willing to absolve the Town after a ceremonial demonstration of their penitence for the crime of hanging the clerks; but what the townsmen really wanted was the return of the scholars who bought their goods and paid their rents. The ceremonial funeral of the murdered clerks might assuage the affront to the Church; but it would not necessarily bring the scholars back to Oxford. The masters who had been lecturing in 1208 were now widely dispersed and many of them had found satisfactory employment which they would not want to leave. *Mag.* John Grim, *magister scholarum* in 1201, had gone to Cambridge where he had relatives and helped to start a University there.<sup>18</sup> *Mag.* Alardus, who was *rector scholarum* in 1210,<sup>19</sup> sold his hall in Oxford after the dispersion<sup>20</sup> and went to Wells where he was sub-dean by 1213 and chancellor of the Cathedral from about 1215 until 1231.<sup>21</sup> Nothing is known of the masters who are said to have settled at Reading.<sup>22</sup> At least three masters who were lecturing in Oxford before 1209 went to Paris: Robert Grosteste; St. Edmund of Abingdon, but he seems to have spent a year at Merton Priory during the dispersion; and John Blund, but he does not seem to have returned to Oxford until later.<sup>23</sup> It cannot be said from the little we know that in 1213 there was any great eagerness to return to Oxford among the masters who had been teaching there before 1209.

The legate's problem then—and he must have perceived it as soon as he interviewed the Oxford townsmen at Westminster about 1 October 1213—was to find someone to represent the dispersed scholars. This representative would have to be familiar with university conditions in Oxford before the dispersion and acquainted with the lecturers formerly prominent there. He had to formulate conditions which the Town would accept and which would at the same time be sufficiently attractive to draw the masters back to Oxford. The most numerous and distinguished group of pre-1209 Oxford masters was at Paris; and the natural course for the legate was to ask his opposite number, the Papal legate at Paris<sup>24</sup> to send the most suitable master for the job to meet him at Oxford in six weeks' time. The legate appears to have had a suitable representative at his Oxford meeting in November 1213, and given him six months to consult the dispersed masters at Paris, Cambridge, Reading and perhaps elsewhere. This representative did not achieve complete success, as shown by the masters who did not return as a result of the final award; but his draft report to the legate in May 1214 must have been sufficiently encouraging for negotiations to proceed. This draft must then have been shown to the townsmen, who perhaps

<sup>18</sup> M. B. Hackett, *The Original Statutes of Cambridge University* (1970), 46–7.

<sup>19</sup> Bodleian Lyell MS 15, fol. 144v, where he is named as a judge delegate. He was not present when judgement was given at Oxford on 10 May 1210.

<sup>20</sup> Later called Winchester Hall. It was about the middle of the south side of Brasenose Lane (H. E. Salter, *Survey of Oxford*, 1 (1960), NE Ward 86).

<sup>21</sup> *Mag.* Alardus seems to have been a *protégé* from at least 1204 of Jocelyn, bishop of Wells, younger brother and intimate colleague of Hugh of Wells, bishop of Lincoln (J. A. Robinson, *Somerset Historical Essays*, British Academy (1921), 145).

<sup>22</sup> Roger of Wendover, *op. cit.*, II, 51.

<sup>23</sup> Mathew Paris says that he returned from Paris to Oxford in 1229 (*Chronica Majora* (Rolls Series), III, 168); but he was in England on several occasions from May 1227 onwards when he received safe conducts from England to Rome (*BRUO*, I, 206).

<sup>24</sup> He was Cardinal Robert de Curzon. It may be no more than coincidence that he had been Grosteste's master at Paris three years earlier, and that Grosteste venerated him to the day of his death (Callus, *op. cit.*, 49–50).



secured the clarification about the rent of newly-built houses in clause 3 ; and was accepted by them. Possibly this original draft included a clause creating the office of chancellor of the University. The draft must have been sent to the bishop of Lincoln about the middle of May 1214. He objected to any specific clause about creating a chancellor, if one was ever in the draft ; and other references to that office in the document were modified by inserting the cumbersome formulas which I have already discussed. The bishop was more openly suspicious of the erosion of his rights by the Town ; and it must have been the bishop who added to clause 7, speaking of the townsmen : ' nec aliquo modo machinabantur in hiis vel in aliis per quod prefati Lincolnensis episcopi iurisdiccio eludatur vel ius suum vel ecclesie sue in aliquo minuatur ' ' nor were they in any way to contrive in these or in other matters that the jurisdiction of the aforesaid bishop of Lincoln should be evaded or his own rights or those of his church in any way diminished '.

The diocese of Lincoln was one of the largest in England. Offices had been left unfilled and abuses uncontrolled in the seven years that the See had been exploited by King John before Hugh of Wells was able to take up his duties. He had been in control less than twelve months when he received the original draft from the legate and was apparently given less than a month to consider it. It was only natural that he should adopt a guarded attitude to any hurried proposals which might open the way either for the University or the Town to increase their own independence at the expense of his episcopal control.

But behind this there was a more fundamental difficulty in which the interests of the bishop and the University were united against the Town. The suspension of studies at Oxford had brought the townsmen to a state of penitence in which they would promise almost anything. But once the University was re-established in Oxford, the townsmen's feeling of penitence would fade and their promises might not be kept. The first text of the award (doc. 1, 20 June, clause 8) says ' Iurabunt autem quinquaginta de maioribus Oxon ' pro se & communa & quantum in eis est pro heredibus suis quod hec omnia supradicta fideliter observabuntur. ' ' Furthermore fifty of the more important townsmen of Oxford shall swear for themselves and the community and as far as they can for their heirs that they will observe faithfully all these conditions aforesaid '. In the second version of the text (doc. II issued at Ramsey Abbey on 25 June 1214), the words ' quantum in eis est pro ' ' as far as they can [for their heirs] ' have been omitted. Both texts end with a threat : ' Si vero predicti Burgenses contra statuta nostra & proprium venerint iuramentum, ex ipso facto se sciant excommunicationis vinculo innodatos & episcopus Lincolnensis vel successores sui eos & villam eorum reducant in pristinam suspensionis sententiam ' ' If indeed the aforesaid townsmen shall have acted against our statutes and their own oath, they should realize that by that very act they are bound by the chain of excommunication, and the bishop of Lincoln or his successors would put them back under the original sentence of suspension '. How inadequate this threat proved is shown by the fate of clauses 2 and 3 which were to control rents for twenty years, that is until Michaelmas 1233. For by 3 May 1231 they had to be re-enforced by royal command.<sup>25</sup>

The scholars' representative and the bishop of Lincoln may have hoped that

<sup>25</sup> *Calendar of Letters Close, 1227-1231*, 586-7.

rent control would last for twenty years ; but they were never under the illusion that the Town would continue indefinitely to pay the perpetual annual tributes of 52s. for poor scholars and 16s. 8d. for the feast on St. Nicholas's day. They seem to have assumed that the Town would provide a capital sum or make a grant of land<sup>26</sup> sufficient for one of the religious houses in the neighbourhood to undertake these payments in perpetuity on the Town's behalf. Documents I, II and III speak of the tribute of 52s. as 'dispensandos in usus pauperum scholarium per manus abbatis de Osen' & prioris sancte Fritheswide' 'payable for the use of poor scholars by the hands of the abbot of Oseney and the prior of St Frideswide'. In the text of 20 June, there is inserted at the end of this sentence ' & hoc faciet communia per se vel per alium vice eius illud facientem ' 'and this may be done by the town itself or by some one else doing it in their place'. But in the event neither Oseney nor St. Frideswide's would co-operate. They and several other religious houses owned halls in Oxford let to students. Oseney seems to have appealed to the Pope against the award on the ground that it was unjust that they should be fined half their rents for the hanging of the clerks in which they had no part. The justice of their claim was admitted by the legate, Nicholas bishop of Tusculum, after he left England ; and the anomaly was corrected in 1217 or 1218 by Cardinal Guallo then papal legate in England.<sup>27</sup> The abbot of Oseney at this time was Clement, formerly prior, appointed abbot in 1205 ; and the prior of St. Frideswide's was Simon, elected between 1191 and 1195, who resigned in 1228. No doubt the scholars' representative had neglected their interest in the proposals put to the legate ; and perhaps had taken too much for granted their co-operation in his scheme for the payment of the Town's tribute. The situation was saved by the abbey of Eynsham which took their place in assuming the responsibility for the Town's annual tribute under both clauses 4 and 5 by a charter which is Doc. IV and must have been sealed between 25 June and All Saints' day 1214.<sup>28</sup>

A new abbot of Eynsham, Adam, had only just been appointed, and this charter is his first known act as abbot. He was a remarkable man : of Oxford origin, probably the son of Edmund Medicus : from 1197 to 1200 he was chaplain and confessor to St. Hugh of Avalon, bishop of Lincoln : he wrote Hugh's life for his canonization in 1220, the 'Magna Vita Sancti Hugonis'.<sup>29</sup> He also wrote the Revelation of the Monk of Eynsham which was seen by his brother Edmund in 1196.<sup>30</sup> He was in Paris in 1209 and stayed for three months in the hostel of a kinsman Reymundus who was a canon of Lincoln and subsequently the immediate predecessor of Grosteste as archdeacon of Leicester. In 1215 Adam began to develop a planned housing estate at Newlands beside the small town of Eynsham.<sup>31</sup> He was deposed from the office of abbot by Hugh of Wells in 1228 as 'tanquam

<sup>26</sup> More probably the latter. The townsmen when under pressure in the twelfth century alienated several portions of Portmeadow (Salter, *Medieval Oxford* (OHS, 1936), 26).

<sup>27</sup> Salter, *Medieval Archives of the University of Oxford*, I, 16.

<sup>28</sup> After June 1214 because the charter mentions the legate's award. Before All Saints' day 1214 because the first payment secured by it was then due. Salter dates it 'c. July 1214'.

<sup>29</sup> Ed. J. F. Dimock (Rolls Series), 1864 ; edd. H. Farmer and D. L. Douie, (1961).

<sup>30</sup> Printed by Machlinia, London [1485], STC. 20917 ; ed. E. Arber, 1869 ; ed. H. Thurston, *Analecta Bollandiana*, vol. xxii, 1903 ; ed. Michael Huber, *Romanische Forschungen*, Nov. 1904 ; 1906 ; ed. Salter, *Cartulary of the Abbey of Eynsham*, vol. II, 1908.

<sup>31</sup> Salter, *Medieval Oxford*, 9.

perjurus et dilapidator manifestus'.<sup>32</sup> But his action in 1214 probably secured the success of the most permanent part of the legate's award—the punctual payment of the two perpetual tributes.

It now remains to say what happened to this money. On 11 February 1240 Robert Grosteste by then himself bishop of Lincoln executed a deed which is the foundation statute of the first university loan chest (*Cista Sancte Frideswide*, later called *Antiqua cista universitatis*). There were no banking facilities in those days and students had to bring to Oxford each term enough cash for their fees, board, lodging, and books. It was not unusual for a student to have no money left at the end of term for his journey home. These miscalculations often ended the university career of promising but poor students. Grosteste's loan chest provided an interest-free loan for any needy member of the University<sup>33</sup> on a pledge which was to be sold if the loan was not repaid within a year. That this loan chest filled a real need is shown by the fact that over the next three hundred years twenty-five more loan chests on this model were founded at Oxford and twenty-seven at Cambridge. Before the invention of printing the pledge was usually a book; and several hundred pledge notes still survive on the fly leaves of medieval manuscripts used in the English universities.

In the preamble to his foundation statute for the St. Frideswide chest Grosteste says that the capital of the chest came from the money paid as a result of the legate's award which was to be devoted to some permanent use of the scholars as determined by the bishop of Lincoln with the consent of the scholars, but for which no ordinance had yet been made.<sup>34</sup> In the later chests the minimum capital to keep a chest viable was considered to be 100 marks (£66.13s. 4d.).<sup>35</sup> The tribute was to be paid in instalments of 26s. on All Saints' day and Ash Wednesday every year, and the first payment was due on All Saints' day 1214. Thus the accumulated total exceeded 100 marks with the payment due on Ash Wednesday 29 February 1240, and eleven days later Grosteste promulgated the statute for the first loan chest.

By 1313 the University had decided to distribute this annual 52s. among the masters of arts actually teaching.<sup>36</sup> The astonishing thing about the whole transaction is that in the first half of the 13th century the University should have had the restraint and the determination to save this considerable sum year by year for twenty-six years. It is incredible that they should have achieved this unless they had some

<sup>32</sup> Salter, *Cartulary of Eynsham Abbey*, I, xix.

<sup>33</sup> *Statuta Antiqua Universitatis Oxoniensis*, ed. S. Gibson (1931), 78. A needy (indigens) student is defined as being without a benefice or with one worth less than ten marks.

<sup>34</sup> The preamble to Grosteste's deed of 11 March 1240 which founded the first University loan chest runs: 'Omnibus Christi fidelibus ad quos presens scriptum pervenerit, Robertus, Dei gracia Lincoln. episcopus, salutem in Domino. Noverit universitas vestra quod, cum burgenses Oxonie in emendam et satisfactionem cuiusdam insultus publici facti in scholares universitatis Oxonie, per ordinationem bone memorie Hugonis Lincoln. episcopi predecessoris nostri, quandam pecunie summam solvissent assignandam et convertendam in aliquam utilitatem perpetuam scholarium dicte universitatis secundum suam vel alicuius successorum suorum provisionem et ordinationem, cum prefate universitatis scholarium assensu, nec fuisset de dicta pecunia per memoratum predecessorem nostrum sub forma predicta provisum et ordinatum, Nos, volentes eius laudabilem ordinationem pro posse nostro effectui mancipare, de assensu dicte universitatis de predicta pecunia in hunc modum providimus et ordinavimus, videlicet . . .'

and the detailed arrangements for the chest follow.

(*Statuta Antiqua*, 74-5)

<sup>35</sup> A list of Oxford loan chests, with the original capital of each, is given on p. 419 of *The Register of Congregation*, 1448-1463 (OHS, 1972), vol. xxii.

<sup>36</sup> *Statuta Antiqua*, 73. For the date, see *Bodleian Library Record* (1968), viii, 75; but the decision could have been made at any date between 11 March 1240 and 1313 when the surviving text was copied.



definite object in view from the very beginning. This means that the germ of the idea of a loan chest was already in Grosteste's mind while the terms of the legate's award were being worked out in May and June 1214.

There is no explicit evidence whatever that Robert Grosteste represented the interest of the dispersed scholars in the negotiation which preceded the legate's award of 1214. In a field where so little is known it is tempting to overstress the meagre indications that we have ; but this is no justification for ignoring them. They may be summarized thus : (a) It may reasonably be inferred that Robert Grosteste was the first head of the University (though only *magister scholarum*) elected after the re-assembly of the scholars about October 1214. The scholars must therefore have regarded him as a leading man ; and a possible reason for this reputation is the part he may have played in the negotiations which made their return possible. (b) It may also be inferred that the scholars elected him as *cancellarius* though the bishop of Lincoln refused him that title. Chancellor of the University is a title imported from Paris, and Father Callus has shown that Grosteste was at Paris during the dispersal. (c) There is evidence to suggest that Grosteste's invention of the loan chest was an idea conceived during the negotiation of the legate's award, and steadfastly pursued until 1240 when enough money had been accumulated to put it into practice.

So much may be reasonably inferred from known facts ; but it leaves unsolved the problem of when and why Grosteste's tenure of office ended. A little can be said about this even though there is no definite evidence. *Mag.* Geoffrey de Lucy was chancellor in 1216 before Hugh de Wells had returned to England from the Lateran Council. The Council was summoned to meet at Rome on 1 November 1215, so that Hugh of Wells must have left England probably about the beginning of September that year, and confirmed *Mag.* Geoffrey de Lucy as chancellor before he left. But prior to this Grosteste must have resigned or been deposed, and Lucy elected as chancellor by the regent masters. Thus Grosteste's tenure of office cannot have lasted more than the ten months from November 1214 to September 1215 ; and may well have been even shorter. The span is strikingly brief, which suggests that its end was sudden and unforeseen. In other words there was a row.

The occasion for such a row is not far to seek. At Lincoln in November 1214 the bishop refused to confirm Grosteste as chancellor. Nothing is said about what happened in Oxford when Grosteste came back with the news. The masters who had just returned to Oxford from Paris must have felt that they had been double crossed. The terms they had asked for their return probably included the appointment of a chancellor ; and the legate's award must have been interpreted by them (as it has been by later scholars) as evidence that they would have a chancellor. It was not merely a title that was at stake : to the returning masters the title must have been symbolic of the re-organization of Oxford on the Paris model with the higher faculties of theology, civil, and canon law separated from the faculty of arts. There can be little doubt that the returning masters felt that they had been tricked ; and their immediate reaction would be to go back to Paris. A serious move in this direction would have begun as soon as the news spread in Oxford. Hugh of Wells or some authority above him must then have realized that he had made a fatal mistake which was about to frustrate the revival of the University at Oxford. The bishop of

Lincoln's decision had to be reversed immediately ; but the bishop's face must be saved. We can only suppose that in some private negotiation it was agreed that, if Grosteste withdrew thereby saving the bishop's face, and the University elected a figure acceptable to the bishop, then the bishop would confirm the new candidate (*i.e.* *Mag.* Geoffrey de Lucy) with the title of chancellor and whatever that implied, although a month or two earlier he had refused these same privileges to Grosteste.

## Early references to the Head of Oxford University

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GRAHAM POLLARD

APPENDIX

No	Date	Title	Name	Reference	Remarks
1	2 Jan. 1201 <sup>1</sup> , <sup>2</sup>	Mag. Sclorum	Mag. John Grim	Cal <sup>3</sup> 279	Cited mandate
2	10 May 1210 <sup>1</sup> , <sup>2</sup>	Rector Sclorum	Mag. Alardus	Cal 565	Not then in Oxford
3	[c. Nov. 1214]	Mag. Sclorum	Mag. Robert Grosteste	Snappe 52	See above p. 63
4	[by Sept. 1215]	Cancellarius	Mag. Geoffrey de Lucy	Cal 1111	See above p. 70
5	22 March 1221 <sup>1</sup>	Cancellarius	no name	Os <sup>4</sup> v. 374	Mandate cited in No. 10
6	24 March 1221 <sup>1</sup>	Cancellarius	no name	Med. Arch. i, 15	
7	30 March 1221 <sup>1</sup>	Cancellarius	no name	Rashdall iii, 478	
8	30 March 1221 <sup>1</sup>	Cancellarius	no name	Med. Arch. i, 10	Not the same as No. 7
9	30 April 1221 <sup>1</sup>	Cancellarius	no name	Med. Arch. i, 15-16	
10	[May/June 1221]	<sup>1</sup> cancellario non existente <sup>1</sup>		Os. v, 374	Reply to No. 5
11	[May/June 1221]	See footnote 5		Rashdall, iii, 478	First reply to No. 8
12	7 July 1221	Cancellarius	no name	Med. Arch. i, 11	Second reply to No. 8, once had seal <sup>6</sup>
13	25 Oct. 1221	Cancellarius	no name	See footnote 7	Once had seal <sup>7</sup>
14	4 Feb. 1222	Cancellarius	Mag. G.	EHR. lxxx, ii, 754	
15	27 Oct. 1225 <sup>1</sup>	Cancellarius	no name	Reg. Antiq. Lincoln, iii, 1019-20	
16	13 Jan. 1228 <sup>1</sup>	Cancellarius	no name	Os. iv, 185	Mandate cited in No. 17
17	[1228]			Os. iv, 186-7	Reply to No. 16. Chancellor not present
18	[Jan/March 1229]	Cancellarius	Mag. Walter	Curia Regis Rolls, xiii, no. 1532	
19	22 June 1231	Cancellarius	Mag. Ralph of Maidstone	Cal. Close Rolls, p. 520	
The See of Lincoln					
1186-16 Nov. 1200		St. Hugh of Avalon	17 Nov. 1200-24 August 1203		Vacant
24 Aug. 1203-10 May 1206		William of Blois	11 May 1206-20 Dec. 1209		Vacant
20 Dec. 1209-1235		Hugh of Wells	20 Dec. 1209-16 July 1213		Bishop abroad
16 July 1213-[Sept] 1215		in England	[Sept 1215]-[1217]		Bishop abroad
[1217]-1235		in England			

<sup>1</sup> This is the date on which a mandate was issued by the Papal Chancery in Rome. The Chancery issued a mandate on receipt of a petition customarily accompanied by a letter suggesting the names of suitable judges delegate. It would take about four weeks to reach Rome; so that the date in the mandate normally applies to conditions in England some four weeks earlier (See Janet Sayers, *Papal Judges Delegate in the Province of Canterbury 1108-1254* (1967), 109-112).

<sup>2</sup> If we assume that the *magister scolarius* had to be confirmed by the bishop of Lincoln in person, then *Mag. John Grim* (No. 1) must have been appointed before St. Hugh of Avalon's death on 16 November 1200; and *Mag. Alardus* (No. 2) before William of Blois's death on 10 May 1206.

<sup>3</sup> C. R. and M. Cheney, *Calendar of the Letters of Innocent III to England*, (1967).

<sup>4</sup> *Cartulary of Oseney Abbey*, ed. H. E. Salter, Oxford Historical Society, 6 vols., 1929-36.

<sup>5</sup> *quoniam tertius* [of three judges delegate] scilicet cancellarius de quo in litteris Apostolicis facta est mentio tunc temporis in rerum natura non fuit.

<sup>6</sup> In Brian Twyne's day this deed (No. 12) bore a defective seal which he described. Dr. Salter (*Med. Arch. i*, 11, note 3) identified it with the Chancellor's small seal as used in 1246 (reproduced in *Balliol Oxford Deeds*, p. 365).

<sup>7</sup> Twyne saw another deed of 1221, not now extant, which had the Chancellor's small seal (Twyne MS. xxiii, f.67 margin).