(1)

Charta Fundationis Hen: 8
anno Regni sui 33^tio
apr: die 3^tio anno Domini 1542

Henricus octavus, ^ &c omnibus ad quos præsentes literæ pervenerint Salutem: Sciatis quod nos in augmentationem Scientiarum, Artium, Eruditionum, Virtutis, nec non ad bonorum Studiorum ac Morum Incrementum; ac ad specialem contemplationem, & humillimam requisitionem perdilecti & fidelis Consiliarii nostri Thomæ Audley prænobilis Ordinis nostri Periscelidis Equitis Domini de Walden, ac Cancellarii nostri Angliæ, de gratia nostra speciali ac ex certâ Scientia & mero Motu nostro, ad Laudem et Honorem Sanctæ Mariæ Magdalenæ, quoddam Collegium perpetuis temporibus duraturum in fundo terrâ sive circuitu & præcinctu cujusdam loci nuper vocati Buckingham College, in alma Academia sive Universitate Cantabrigiæ situati & existentis: videlicet de uno Magistro & octo Sociis per præfatum Dominum Cancellarium, Hæredes, & assignatos suos nominandis, divina officia in dies ministraturis, ac omnia ac singula alia facturis & perimpleturis, juxta Ordinationes, Dispositiones, Provisiones, & Statuta, quæ per prædictum Cancellarium nostrum, Hæredes, Executores, vel Assignatos suos in ea parte erunt ordinata, disposita, & provisa: Tenore Præsentum fundamus, facimus, erigimus, creamus & stabilimus. Quod quidem Collegium, Collegium Sanctæ Mariæ Magdalenæ nominabitur, nuncupabitur, & vocabitur in perpetuum, sique Collegium illud in perpetuum nominari, nuncupari, & vocari volumus: concedimus etiam quod prædictus Magister & Socii sic per præfatum Dominum Cancellarium vel Executores suos nominati, & Successores sui, Magister & Socii Collegii S^tæ M. Magdalenæ in Academia sive Universitate Cantabrigiæ, vocabuntur & nominabuntur; sintque unum corpus corporatum re ac nomine; ac eosdem Magistrum & Socios perpetuis temporibus duraturos corporamus, & ipsos unum Corpus creamus, facimus & stabilimus; eosque pro uno Corpore declaramus, acceptamus, & approbamus: & quod habeant Successionem perpetuam; & per nomen Magistri & Sociorum Collegii S^tæ M. Magdalenæ in alma Academia Cantabrigiæ nominabuntur & vocabuntur in perpetuum. Concedimus etiam summa Authoritate nostra Regia, quod prædictum Collegium, Magister & Socii, necnon Successores sui, sint, & in perpetuum erunt, Membrum de Corpore Academiæ sive Universitatis prædictæ; dictumque Collegium, & prædictum Magistrum & Socios, & Successores suos eidem Corpori ~~Corpori~~ Universitatis unimus, & consolidamus, univi & consolidari volumus; & Collegium illud, ac Magistrum & Socios ejusdem & Successores suos, tanquam Membrum & pro Membro prædictæ Universitatis, facimus, creamus, & stabilimus; ita ut dictus Magister & Socii, & Successores sui in perpetuum in omnibus & per omnia tractentur, & omnibus Libertatibus & Privilegiis eidem Universitati spectantibus, prout Membrum & Pars ejusdem, gaudeant & utantur. Volumus etiam & concedimus quod prædicti Magistri & Socii, & Successores sui per idem nomen supradictum eis per Nos tenore Præsentium assignatum, sint & erunt in perpetuum, Personæ habiles, & in lege capaces ad perquirendum recipiendum, & acceptandum terras, tenementa Redditus, Reversiones, Servitia, Advocationes, Rectorias, Decimas,

^ Dei Gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Rex; Fidei Defensor, & in Terra Ecclesiæ Anglicanæ & Hibernicæ supremum Caput,

Libertates, & Franchesias, Privilegia, & Immunitates, ac alia Emolumenta, Possessiones, & Hæreditamenta quæcunque tam Spiritualia quam temporalia: ac per nomen prædictum placitari & implacitari possunt, aut prosequi omnimodo Causas, Querelas Actiones reales, personales, & mixtas, cujuscunque generis fuerint et Naturæ; ac Libertates, & franchesias calumniari nec non respondere & respondi, ac defendere sese sub nomine prædicto in iisdem Causis, Querelis, & Actionibus; ac quodcunque aliud, quod pro Proficuo ac Iure dicti Collegii sit faciendum, facere, coram Iudicibus Ecclesiasticis & secularibus, & tam coram nobis, quam coram quibuscunque Iudicibus, & Iusticiariis in quibuscunque Curiis, & Placitis nostris, Hæredum & Successorum nostrorum Regum Angliæ, ac in aliis Curiis quibuscunque; quodque prædicti Magister & Socii habeant Sigillum commune pro rebus ac negotiis suis utendum & ordinandum. Et proterea de uberiori Gratia nostra dedimus, & concessimus, & per præsentes damus & concedimus præfato Magistro & Sociis Collegii prædicti fundum, terram, Situm, circuitum, & præcinctum dicti Loci nuper vocati Buckingham College, ac omnia ædificia ejusdem, ac illa duo Gardina sive Parcellas terræ cum stagnis in iisdem, vocatas Two Pond-yards, eidem nuper Collegio di Buckingham spectantes: & Reditus, firmas & Reversiones prædictorum Gardinorum & Stagnorum cum omnibus suis Pertinentibus, per manus tenere suas, sive Firmariorum dictorum Gardinorum & Stagnorum solvendas, habendum & tenendum prædictum fundum, terram, Situm, circuitum, præcinctum, ædificia, Gardina, Stagna, Reditus Firmas, reversiones, & cætera præmissa cum suis Pertinentibus, eidem Magistro & Sociis & Successoribus in perpetuum de nobis, Hæredibus, & Successoribus nostris, Regibus Angliæ, in liberam puram & perpetuam eleemosynam in perpetuum. Concedimus etiam præfatis Magistro & Sociis, quod isti & Successores sui authoritate præsentium perquirere & recipere possunt, & valeant eis & Successoribus Suis, Maneria terras, tenementa, Rectorias, Decimas, Reditus, ac alia Hæreditamenta quæcunque ad clarum annuum valorem centum librarum de quacunque Persona sive quibuscunque Personis illa eis dare volentibus; licet eadem Maneria, terræ, tenementa, Rectoria, Decimæ, Reditus, vel alia Hæreditamenta, aut aliquæ inde Parcellæ, tenentur de nobis in Capite vel aliter. Concedimus etiam præfato Domino Cancellario, quod toties, quoties Officium Magistri dicti Collegii, per Mortem, cessionem, resignationem, vel alia quacunque de causa vacaverit, quod tunc prædictus Cancellarius, Hæredes & Assignati sui, Domini nuper Monasterii de Walden in Comitatu Essex, alium Magistrum nominabit, vel nominabunt per Literas sub Sigillo eorum conficiendas. Et toties quoties Officium alicujus Sociorum dicti Collegii, per Mortem, cessionem resignationem, aut aliâ aliquâ de causâ vacaverit, tunc Magister & residuum Sociorum prædicti Collegii, aut eorum

major pars alium aut alios Socios eligant, juxta Statuta Ordinationes & provisiones per præfatum Dominum Cancellarium Hæredes & Executores suos faciendas, ac statuendas. Concessimus etiam præfatis Magistro & Sociis, quod ipsi de tempore in Tempus facere & concedere possunt & valeant, Regulas, Ordinationes & Statuta, pro bono Regimine dicti Collegii, ac dictorum Magistri & Sociorum & aliorum quorumcunque in dicto Collegio commorantium & studentium, juxta sanas discretiones suas, prout eis melius videbitur expedire: Et hoc absque fine seu feodo magno vel parvo nobis in Cancellariâ nostrâ, vel in Hanaperio Cancellariæ nostræ pro præmissis vel aliquo præmissorum, aut pro his Literis nostris patentibus habendis & fiendis, seu deliberandis, reddendis sive solvendis Statuto de terris, & tenementis ad manum mortuam non ponendis; seu aliquo alio Statuto, Actu, Ordinatione, Provisione, sive Restrictione in contrarium factis, editis, ordinatis, seu provisis, aut aliâ aliquâ Re, Causâ, vel materiâ quacunque in aliquo non obstante.

In cujus rei testimonium has Literas nostras fieri fecimus patentes. Teste meipso apud Westmonasterium 3tio Die Aprilis anno Regni nostri 33tio annoque Domini 1542.

Omnibus ac singulis Matris Ecclesiæ filiis præsentibus & futuris Salutem. — Cum nihil magis Dei Gloriam illustret & Veritatem Religionis conservet, quam literarum Studia recte & modeste constituta, tum morum atque honestatis cultus convenienter & decori habitus, & linguarum cognitio in omnium animis ac ingeniis diffusa; Ideirco nos Elisabetha Audley Domina Audley hujus Collegii *Fundatrix, Edvardus North Dominus North, Thomas Poope Miles, Thomas Barber & Edmundus Martin Armigeri, Executores Thomæ Audley prænobilis Ordinis Garterii Militis, Domini Audley de Walden atque Angliæ summi Cancellarii, dicti hujus Collegii Magdalenæ Cantabrigiensis fundatoris, ad Religionis, Morum et Literarum amplificationem, has Leges, juxta tenorem & præscriptum sui Testamenti ad meliorem Collegii Gubernationem, sanciendas & ab omnibus in Collegio Studiosis observandas, optimum fore duximus. Datum apud Londinum unanimi Consensu prædictorum Fundatricis & aliorum Executorum sexto decimo Die februarii, annis Regnorum Philippi & Mariæ Dei Gratia Regis & Reginæ Angliæ &c primo & secundo — 1553/4 —

* all ye Heirs stiled themselves so, as appears from ye Letter to ye College from ye Earl of Suffolk Dated 1625 July ye 30.

Cum tria sint præcipua præcipuè consideranda; nimirum Dei Cultus, Probitas Morum, & Christianæ Fidei corroboratio, Deus imprimis colatur oportet, a quo non solum Vitæ Puritas Pietasque omnis, sed & Eruditio quoque salutaris est speranda, iis demum habitis & perspectis, Deo gratulari proximo consulere, & Menti pii fundatoris melius respondere, meliusque multo poterimus. [Hæ igitur Leges, additiones etiam & Correctiones quæ passim sparguntur, vi ac Tenore Statutorum, in perpetuum stabilita sunto.

To ye Master & Fellows of Magdalen College
In Cambridge

After my hearty Commendations; Whereas, ye Heirs & Executors of ye late Lord Audley have full Power & Authority by your Foundation, to appoint Orders & Statutes for ye Maintenance of God's Glory, ye Increase of good Learning, & ye comely Regiment of ye College: Inasmuch therefore as ye said Statutes are already appointed, perused & corrected by such Judgment as ye sd Executors & I (whom it hath pleased God to appoint for ye time being, & my Children hereafter as proper Heirs unto ye sd Lord Audley) have thought meet & convenient: These therefore shall be to will you, [illegible] ye Authority aforesaid to require you, faithfully to receive & obediently to follow, all these Statutes & Ordinances, with all Corrections & Reformations which herein have been thought convenient, as you will answer ye contrary at your perils. And if any Inconvenience shall ensue in any particular Statute, by Practice hereafter, because at this present it cannot be throughly foreseen, it shall be lawfull for ye Master, with ye Consent of ye most part of ye Fellows of ye sd College, humbly & reverently to require a Redress of ye sd Inconveniency, at ye hands of ye said Heirs & their Successors, from time to time, untill ye said Statutes be made perfect. For ye better doing whereof, I have at this present required Mr Doctor Kelke (now Master) to use his Diligence. And thus nothing doubting of ye submission of yourselves accordingly I commit you to God, to have you all in his keeping, now & for ever.

From Norwich this   Your Well Wisher
[illegible]th of January
Anno Domini 1564.   Norfolke

N B - This Duke married Margaret ye only Daughter & Heir of Lord Audley

1564 Letter from the Duke of Norfolk
21 May 1631 ditto Earl of Suffolk

To ye Master & Fellows of Magdalen College

After my hearty Commendations: Whereas ye Illustrious Prince, ye Duke of Norfolk, my noble Grandfather did not only settle & confirm your College Lands, but also with ye unanimous Consent of ye Executors of your honourable Founder, penned & established all your Statutes & every Clause & Branch therein according to your Founders Will & Direction, as appeareth both by his Highness's Letters prefixed to ye sd Statutes, as also by ye Certificate & Subscription of ye ViceChancellor & Heads of Colleges remaining with you upon Record; all which said Statutes & every Clause therein were religiously observed & obeyed by Dr Kelke then Master, & by all Succeeding Masters & Fellows without Opposition or Detraction. These are therefore by ye Authority derived to me & my Heirs by Right of Inheritance & lineal Discent from ye said Duke my Grandfather, to require you to keep & observe all things injoined by ye sd Statutes, & to abrogate all Innovations & Customs which may be prejudicial to ye ye privileges by ye sd Statutes granted to ye Master of your College belonging to your Patronage & Protection. and I require you ye present Master to use your Diligence to see ye Statutes kept & pray observed; & if you find any man factious or disobedient therein, that then you make use of ye Authority given you by ye sd Statutes for ye quiet Government of ye said College. and thus not doubting of your performance therein I commit you to ye Protection of ye Almighty & rest yr Loving friend

May ye 31st. 1631.   Theoph: Suffolke

N B) There is entered in ye College Book ye Copy of a Letter pretended to have been sent to ye College, dated July ye 30, & signed Suffolke, abrogating & disannulling ye Additions made to ye Statutes by ye means of Dr Kelke, but it is mentioned in ye Statute Book now in common Use as a forgery, & it is added that this Earl who is pretended to have writ this Letter, declared to his son Theophilus & several others, that he would not alter ye College Statutes at all, but that they should continue as they were without any Diminution of ye Master's Power. and ye above Letter seems to have been procured to confirm ye Society in ye Belief of that Forgery.