

CHARTER OF CHARLES I

Charles by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, etc. To all to whom these our letters come, greeting. Whereas the Lady Elizabeth, formerly Queen of England, by her letters patent under her great seal of Ireland, dated at Dublin the third day of March in the 34th year of her reign (recites those Clauses of the charter of Elizabeth founding the College, and creating the body corporate with a common seal and the power of making statutes and conferring degrees).

We approving all and singular recited above, with the alterations, additions and declarations expressed later in these presents, and having goodwill in all things, ratify and fully confirm them by the presents for us, our heirs and successors, to the aforesaid provost, fellows and scholars and their successors.

Whereas the said late Queen by her letters patent ordained that the students in the said college should have liberty and power to obtain degrees as well of bachelor as master and doctor at suitable times in all arts and faculties, this however always provided, that when the fellows of the college had completed seven whole years after taking the degree of master, then they should be removed from the number of fellows, so that others substituted in their place might have the emoluments for the benefit of that kingdom and the church: We, wishing with the agreement of the said provost, fellows and scholars to remove the said provision seeing that it is harmful not only to the students and the college, but also indeed to the kingdom, confirm by these presents for us, our heirs and successors, to the provost, fellows and scholars, and their successors, the aforesaid liberty of obtaining degrees in all faculties by our royal authority to the students of the aforesaid college for the time being, absolutely, without this provision.

And whereas the same late Queen by the same letters patent granted and gave licence to the aforesaid provost and fellows of that college that they might from time to time for ever make, constitute and confirm laws, statutes and ordinances to govern their college piously and faithfully: and that they might establish among themselves whatever laws they thought well constituted in the universities of Cambridge or Oxford and judged apt and suited to themselves: (we now wish to reserve and continue to ourselves our heirs and successors for ever, with the assent and consent of the provost, fellows and scholars, this power of establishing and constituting statutes and ordinances previously granted to the aforesaid provost and fellows of the said college as aforesaid).

And whereas the provost and fellows then existing according to the power granted to them by the late Queen Elizabeth made and established among themselves a body of statutes for the government of the college which statutes now hold force in the college; and it now appears that the aforesaid statutes were not and are not sufficiently adapted to the good government of the said college; we therefore, by the assent of the aforesaid provost, fellows and scholars of the said college, will and declare by these presents that the same statutes are annulled in all things; except that we ratify and confirm by the presents, for us, our heirs and successors to the aforesaid provost, fellows and scholars of the said college and their successors the augmentation made of the fellows of the college from three to sixteen, and of the scholars of the college from three to seventy, and the division of the aforesaid sixteen fellows into seven senior fellows and nine junior fellows, and the commitment of the government of the college to the provost and the majority of the senior fellows for the time being by virtue of the same statutes.

And since no society can long exist without statutes for its pious and faithful government: therefore we of our special grace have commanded the aforesaid statutes

to be reviewed, and have secured them thus corrected and given form, as can now be seen, and signed by our royal hand, by the royal authority: commanding the aforesaid provost, fellows and scholars of the said college and their successors to obey these our statutes and not others for ever, unless we, our heirs or successors, shall see fit to add, remove, or change, or dispense with anything, notwithstanding these our statutes. And therefore we will and further command that immediately after the receipt of these our statutes the provost and all the fellows and scholars of the said college shall engage to observe these our statutes; and each of them shall solemnly in the chapel before the visitors of the college named by us in our statutes and below take the oath which we have prescribed for his rank in our statutes; except that in the fellows' oath we grant, for this time only, to the fellows now existing, beneficed according to the statutes which have obtained in the college up to this time, that this clause may be omitted, 'moreover I declare that I now possess no ecclesiastical benefice'. We grant power and licence to the visitors of the college to administer the oath on this occasion, and after this occasion we grant to the provost and vice provost of the college for the time being (when the provost shall have taken the oath himself) power by these presents to administer all and singular oaths required and prescribed in our statutes.

An because various cases may arise all of which human prudence cannot foresee; we will, and grant by the presents for us, our heirs and successors, to the aforesaid provost, fellows and scholars of the said college and their successors; that the provost and the majority of the (senior fellows) for the time being in matters omitted (where nothing certain has been determined in our statutes) may make new decrees and (ordinances), which are not repugnant to our statutes, and have the consent of the visitors of the college, (who are named below); we will and grant that they shall have binding force, under the penalties prescribed in them; until (the occasion ceasing) it shall seem fit to the provost and (senior fellows) or the majority of them, to rescind these decrees (and ordinances) with the consent of the visitors.

And whereas the aforesaid late queen by her said letters patent willed, granted, ordained and decreed, for herself, her heirs and successors, that whenever and as often as it happened that any provost was removed in any manner, whether by death, resignation, deprivation, or in any other manner; that then and successively the aforesaid fellows then surviving, or the majority of them, might elect and name a suitable provost within three months next following: we, for the singular care which we have towards the whole kingdom of Ireland, and especially towards the aforesaid college, will and declare by the presents that this power, previously granted to the fellows of the aforesaid college for the time being and their successors, shall for ever, with the assent and consent of the same provost, fellows and scholars, be reserved to us, our heirs and successors. And therefore we command that whenever and in whatsoever manner the provostship of the said college shall happen to be vacant, the vice provost for the time being, (or in his absence the most senior fellow who shall be in the house) shall immediately notify the vacancy to the chancellor of the aforesaid academy or university for the time being, and the chancellor, without delay, shall announce it to us. During the vacancy, and until a new provost be named by us, our heirs and successors, and admitted to the provostship in the said college, we will that the vice provost for the time being shall undertake the care of the government of the college, and shall take the place of the provost in all things; (except in the distribution of chambers, all elections, demises of the lands and tenements of the college to farm, and the making of whatsoever instruments which are accustomed to be sealed with the college seal).

And whereas the aforesaid late queen by her letters patent willed, granted and ordained for herself, her heirs and successors, that if it happen that any of the aforesaid fellows and scholars in any manner by removed, by death, resignation, deprivation, or in any other manner, then and successively the provost and the other fellows or their successors then surviving, or the majority of them, might elect, name and constitute another suitable person or persons, in the place or places of the said fellow or scholar, fellows or scholars, within two months next following; and so from time to time, as

often as such death, resignation, or deprivation should happen and that each of them, so from time to time elected, should have and enjoy, and might and could have and enjoy, as full and free power and authority in all things, and to do, implement and complete all and singular, as any other of the fellows and scholars of the aforesaid college in any manner ought to or could have or enjoy: we, wishing for certain causes to change the aforesaid time of nomination, election and constitution of any fellow or scholar of the aforesaid college to be nominated, elected and constituted in future; of our special grace, certain knowledge and pure will, we will and ordain and grant by the presents, for us, our heirs and successors, to the aforesaid provost, fellows and scholars, and their successors: that whenever and as often as in future it shall happen that any senior fellow shall cease to be of the number in any manner, and be removed from it by death, resignation, deprivation or in any other manner, then and successively the provost and the rest of the senior fellows then surviving, or the majority, or an equal part of them for the time being, together with the provost, may elect, name and constitute a suitable person or persons in the place or places of the aforesaid senior fellow or fellows within (a space of three days) from the vacancy's being known. Likewise, if it happen that any of the junior fellows or scholars in any manner be removed, by death, resignation, deprivation, or in any other manner, then and successively (the provost and senior fellows,) or the majority of them for the time being, together with the provost, may elect, name and constitute another suitable person or persons in the place or places of the aforesaid junior fellow or fellows, scholar or scholars, on Monday after Trinity Sunday (next following,) according to our statutes aforesaid provided in this case, and so from time to time whenever death, resignation or deprivation shall happen; and that each of them so as aforesaid elected to such a place or places of provost, senior fellow, junior fellow or scholar shall have and enjoy, and may have and enjoy as full and free power and authority in all things, and to do, implement and complete all and singular as the provost or any other senior fellow, junior fellow or scholar of the said college for the time being now ought to or can have or enjoy, according to the tenor or our aforesaid statutes in this case.

And whereas the same late queen by her same letters patent, for herself, her heirs and successors, for the support and maintenance of the aforesaid college, and for the relief and support of the provost, fellows and scholars of the aforesaid college, granted and gave licence to the aforesaid provost, fellows and scholars, and their successors, that they and their successors might acquire, have, receive and possess, by the name of the provost, fellows and scholars of the college of the holy and undivided Trinity of Queen Elizabeth near Dublin, manors, lands, tenements and hereditaments whatsoever, whatsoever might be their kind, nature or species, to the annual value of £40 current money of England beyond burdens and payments, to the proper use of the aforesaid provost, fellows and scholars and their successors, the statutes of not putting lands and tenements in mortmain notwithstanding.

Know, that we, wishing to provide for the improvement and enlargement of the college, and at the humble petition of our beloved and faithful councillor Thomas Viscount Wentworth, our deputy general of our kingdom of Ireland, of our special grace and certain knowledge and pure will, will, and for us, our heirs and successors, by the presents give leave to the provost, fellows and scholars and their successors: that they, the provost, fellows and scholars and their successors, may acquire, take and receive manors, lands, tenements and hereditaments whatsoever, of whatever kind, nature or species, as well from us, our heirs and successors, as from any other person or persons whatsoever, to the provost, fellows and scholars and their successors for ever to the support and maintenance of the aforesaid college, and to the relief and support of the provost, fellows and scholars of the same college and their successors (in addition to the aforesaid manors, lands, tenements and hereditaments to the annual value of £40 mentioned in the letters patents of the aforesaid late queen as aforesaid). So however that the manors, lands, tenements and hereditaments acquired by virtue of the presents be not held of us, our heirs and successors, immediately in chief, in demesne, or in service, or of us, our heirs and successors, or of any other person, by

knight service. (And also that they do not exceed in total annual value £200 current money of England beyond all burdens and payments,) the statutes of not putting lands and tenements in mortmain, or any other statute, act, ordinance or provision to the contrary thereof notwithstanding.

We grant further, and give special licence by the presents, for us, our heirs and successors, to all and singular persons whatsoever, that they, or any of them, may freely and lawfully give, sell, alienate, bequeath, or grant to the aforesaid provost, fellows and scholars, and their successors, manors, lands, tenements, and hereditaments whatsoever (in addition to the aforesaid manors, lands, tenements and hereditaments mentioned in the aforesaid letters patents of the said late queen as aforesaid), as well of their own fee as of another, whether held of us, our heirs or successors, or of any other person whatsoever, provided that they be not held of us, our heirs and successors, immediately in chief, in demesne or in service, or of us, our heirs or successors, or of any other person by knight service: the aforesaid statutes of not putting lands and tenements in mortmain, or any other statute, act, ordinance, or provision to the contrary thereof notwithstanding. And this, without making, performing or taking any inquisition, or inquisitions thereon returnable in our chancery by pretext of any writ or command of us, our heirs and successors, of ad quod damnum or any other writ, grant, command or precept. (So, however, that those manors, lands, tenements and hereditaments do not exceed the annual value of £200 current money of England (beyond all burdens and payments as aforesaid). Willing and firmly commanding for us, our heirs and successors, that the aforesaid provost, fellows and scholars, and their successors shall not by occasion of the premises, or any of them, be impeached, disquieted, molested, or troubled in anything by us, our heirs and successors, justices, escheators, sheriffs, or other bailiffs or ministers of us, our heirs or successors.

(And we will, and forbid by the presents, that anyone should publicly profess or teach the liberal arts in other places within our kingdom of Ireland, without the special licence of us, our heirs or successors, first had and obtained in that behalf).

And that all and singular the premises may be better cared for, of our special grace towards the aforesaid college, we grant by the presents for us, our heirs and successors, to the aforesaid provost, fellows and scholars: that (the provost and senior fellows) of the aforesaid college for the time being, or the majority of them together with the provost, shall in future for ever have licence and power to name, elect and admit (a chancellor), proctors, and all other officers pertaining to the aforesaid academy, but by this rule, that each of them so (as aforesaid) elected together with the vice-chancellor of the aforesaid academy (to whom we wish always to be chosen by the chancellor of the academy, whose place he holds) shall engage under oath to exercise faithfully the office entrusted to him. (The chancellor of the aforesaid academy shall take the aforesaid oath before the chancellor or keeper of our great seal of England, or before the chancellor of Ireland;) the vice-chancellor before the chancellor of the academy, or in his absence (before the chancellor of our kingdom of Ireland). The proctors and the remaining officers of the academy aforesaid shall bind themselves as above before the chancellor, or in his absence the vice-chancellor, of that academy. All of whom, namely (the chancellor or keeper of our great seal of England, the chancellor of our kingdom of Ireland), the chancellor and vice-chancellor of the aforesaid academy near Dublin for the time being, we strengthen with our royal authority so that in the aforesaid cases they can and may lawfully administer the oath to the persons so (as aforesaid) elected.

And whereas the aforesaid late queen by her said letters patent willed and ordained that the chancellor of the aforesaid academy for the time being or his vice-chancellor, with the archbishop of Dublin, the bishop of Meath, the vice-treasurer, the treasurer at war, the chief justice of her chief place within her kingdom of Ireland, and the mayor of the city of Dublin, for the time being, or the majority of them, who shall be called visitors,

should break off and determine all quarrels, actions and controversies which the provost and the majority of the fellows could not settle: and should punish all graver faults not corrected by the provost and fellows: we, for certain causes specially moving us in this matter, will, and by the presents ordain, for us, our heirs and successors, with the assent of the provost, fellows and scholars: that the chancellor of the aforesaid academy, or in his absence his vice-chancellor for the time being, (with the archbishop of Dublin for the time being), shall in future for ever be the visitors of the aforesaid college, whom we fortify with our authority to break off and determine all quarrels, actions and controversies which (for provost and the majority of the senior fellows) for the time being cannot settle: and that they may punish all faults not corrected by the provost and senior fellows of the aforesaid college: and this according to our statutes for the government of that college. Except that should the vice-chancellor of the academy and (the archbishop of Dublin) disagree among themselves upon any matter in controversy, or in any graver business whatsoever, we will that nothing shall be done at any time without the approval of the chancellor of the aforesaid academy, or if it be done, it shall be held invalid.

Finally, we establish and command, for us, our heirs and successors, of our same grace, that whatsoever assistance to the better constitution and conservation of the college, as to the prosecution of studies, can be given by our deputy general of our kingdom of Ireland, and all other subjects and officers for the time being of us, our heirs or successors, shall be given and administered with our good grace and authority. And that all goods, chattels, things, lands, tenements and hereditaments pertaining to the provost, fellows and scholars of the said college and their successors shall be from time to time in all future times free and exempt from all burdens, taxes, tallages, cesses, subsidies, exactions, compositions or demands whatsoever, as well in time of war as in time of peace, due to or to be demanded by us, our heirs and successors, by reason of our prerogative or otherwise; any statute, act, ordinance, proclamation, restriction, custom, use, law, prescription, or any other thing, cause or matter to the contrary of the premises in anything notwithstanding; and notwithstanding that express mention of the true annual value or of the particular premises or any of them, or of other gifts or grants made by us or by any of our progenitors to the said provost, fellows and scholars of the said college before this is not made in the presents: any statute, act, ordinance or provision, or any other thing, cause or matter whatsoever to the contrary of the premises notwithstanding.

In testimony whereof we have made these our letters patent, witness our aforesaid deputy general of our kingdom of Ireland. At Dublin, the 25th day of May, the 13th year of our reign. (25 May, 1637).

CARLETON

Enrolled in the patent roll of the chancery of Ireland, the 13th year of Charles.
Examined by me,

Chr. Wandesforde, Master of the Rolls.