

John Donne Practices Law: The Case of the Brentwood School

John N. Wall

Document D/DBg 1/27¹ in the Public Records Office in Chelmsford in the county of Essex in East Anglia reveals hitherto unrecognized dimensions of John Donne's career after he became Dean of St. Paul's Cathedral in 1621. This document, previously unknown to biographers of Donne,² constitutes the only example of which I am aware in which Donne's legal training was of direct use in his career subsequent to his loss of his job as secretary to Sir Thomas Egerton when Egerton was Lord Keeper of the Great Seal and responsible for the Court of Chancery. This document thus provides a link between

¹I am deeply indebted to the archivists and staff of the Essex Public Records Office, Chelmsford, for their able support and hospitality. An annotated transcript of Document D/DBg 1/27 is appended to this essay.

²This document is not mentioned in Edmund Gosse's *Life and Letters of John Donne*, 2 vols. (1899; rpt. Smith, 1959), nor in R. C. Bald's *John Donne: A Life* (Oxford, 1970), nor in Milgate's updates to Bald's biography listed in Barry Spurr, "The John Donne Papers of Wesley Milgate," *John Donne Journal* 15 (1996): 189-201, nor in John Carey's *John Donne: Life, Mind, & Art* (Oxford, 1980), nor in Derek Parker's *John Donne and His World* (London, 1975), nor in any other study of Donne's time as Dean of St. Paul's Cathedral that I have been able to consult. Nor has it been previously known by any Donne scholar I have been able to contact.

Donne's earlier studies at Lincoln's Inn, his service to Sir Thomas Egerton, and his career as a priest of the Church. It also gives us one more example of the kinds of activities Donne pursued as Dean of St. Paul's Cathedral. It may also point to the significance of Donne's contacts with the English Catholic community even while he held one of the central administrative posts of the Church of England. The physical details of the document, especially the seal that Donne used to secure his signature on this occasion, also help us understand more fully both Donne's use of seals and the iconography of Donne's funeral monument erected in St. Paul's Cathedral after his death in 1631.

Document D/DBg 1/27 has both the appearance and substance of a legal document, prepared according to the standards of official documents in the early Stuart period. Physically, it is a large and handsome object, consisting of two large sheets of parchment approximately 2 feet 3 inches wide by 2 feet 11 inches high that are covered with writing in brown ink in one or more neat secretarial hands.³ Significant effort has gone into the physical preparation of this document; for example, the initial capital letter "T" of the opening word "To" in the text is elaborately developed into an intricate design that incorporates among its many pen strokes the document's date, "Anno Domini 1622" (Fig. 1).

At the bottom, approximately 2 inches of each sheet are folded upward, toward the reader, to form a 4-sheet-thick section that runs across the bottom face of the document. Through this folded section, just to the left of center, three carefully-placed pairs of slits have been cut through all four layers of parchment to permit three light tan ribbons to be threaded through the layers, linking them

³Inconsistencies in spelling patterns within the document suggest that it reflects the work of more than one person; one presumes that the production of an official copy of a legal document of this kind would have been the work of professional scribes who copied text actually written by someone else. See further comments in my notes to the transcription.



Figure 1: Initial “T” at beginning of Statutes of 1622. Detail from Essex County PRO MS D/DBg1/27. Photo: Essex Public Records Office.

together and securing the connection between the two sheets of parchment that comprise the document (Fig. 2). The ends of each ribbon are held together by disks of wax, each of which bears the mark of a seal that was pressed into the wax after it had been applied to bind the ends of each ribbon together but while the wax was still soft.

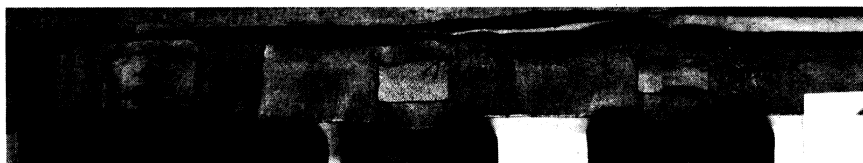
The ribbons and seals effectively link the two sheets of parchment to each other to secure the link between them; the two sheets cannot be separated without breaking the seals and unthreading the ribbons. Above each seal, on the turned-up section of the parchment, just at the points at which each ribbon runs through the document, is a signature (Fig. 3). The document for which these seals and signatures serve as witnesses to its authenticity helps us identify its signers. The signature over the most leftward of the three ribbons reads “Geo: London”; the



Figure 2: Signatures and seals of Bishop Montaigne, John Donne, and Sir Anthony Browne, 1622. Detail from Essex County PRO MS D/DBg1/27. Photo: Essex Public Records Office.

document indicates that the signer is George Montaigne,⁴ who we know was Bishop of London from 1621 to 1628. The seal securing the ribbon by Montaigne's name is therefore the seal of the Diocese of London, in which the County of Essex was located in the seventeenth century. The signature above the seal on the right is that of Anthony Browne, who we are told in the document is from Brentwood in Essex; the seal below his signature is his personal seal.

Figure 3: Signatures of Bishop Montaigne, John Donne, and Sir Anthony Browne, 1622. Detail from Essex County PRO MS D/DBg1/27. Photo: Essex PublicRecords Office.



⁴Montaigne also sometimes spelled his name "Montaigne" or "Mountain."



Figure 4: Donne's signature and seal, 1622. Detail from Essex County PRO MS D/DBg1/27. Photo: Essex Public Records Office.

The signature in the middle of the three reads "J Donne" (Fig. 4), and we are told in the document this is the signature of John Donne, Dean of St. Paul's Cathedral in the Diocese of London. The seal below Donne's signature is one of the major concerns of this essay, so it is worth describing in some detail. This seal combines in a circle three images: inside the outlines of a shield, to

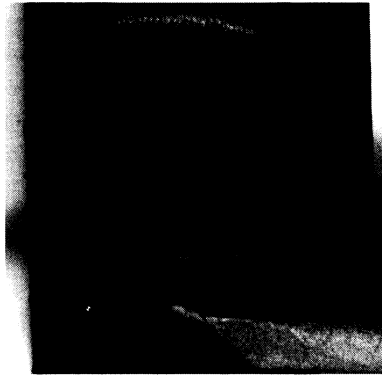


Figure 5: Donne's seal 1622. Detail from Essex County PRO MS D/DBg1/27. Photo: Essex Public Records Office.

the right is the form of a creature identifiable as the “wolf rampant” from Donne's family coat of arms;⁵ to the left is a pair of crossed swords identifiable as the coat of arms of the Diocese of London and of St. Paul's Cathedral. Above the shield is a capital letter “D,” the initial of Donne's title as Dean of the cathedral (Fig. 5).

The document to which John Donne, George Montaigne, and Anthony Browne affixed their seals and signatures in the summer of 1622 (according to internal dating, on 18 July 1622) is a set of “Statutes ordinances and Constitutions...Concerneing the grammer schoole of Anthony Browne Seriante att the Law in Brentwood in the County of Essex.” This document represents the official charter giving Sir Anthony's grammar school its legal

⁵For a discussion of Donne's use of the “arms of the Duns or Dwynns of Kidwelly, Carmarthenshire,” see Gosse, I:4 and Helen Gardner, *The Divine Poems* (Oxford, 1952), pp. 138-39. Whether the wolf is in the “rampant” or the “salient” position has been debated. I believe it is in the “rampant” position because both the legs and paws on the animal's right side are higher than the legs and paws on the left side, which fits the technical definition of “rampant.” What is clear is that the animal is a wolf; see below, p. 291, for an account of how it became a horse in the nineteenth century.

foundation and legitimacy. After an opening Prologue, the Statutes contains two major sections. The first defines the mission of the grammar school and the processes for its organization, governance, internal operations, and financial support. The remaining text defines support for five poor persons from Essex to be organized and delivered by the school's administration, drawing on resources also provided by the estate of Sir Anthony Browne and his heirs.

My purpose in this essay is to bring this document to the awareness of the community of Donne scholars. The document holds interest in itself because it reflects a number of developments in seventeenth-century England, including the history of religious and educational institutions and changing patterns for relief of the poor. Nevertheless, I will focus chiefly on Donne's role in the production of this document, exploring three areas of particular interest for students of Donne: the background of the document, how Donne came to have a part in its preparation and how significant that part might have been; the contents of the document itself, giving special attention to possible traces of Donne's engagement in the project; and the seal Donne used to secure the document and attest to the authenticity of his signature, especially its significance for our understanding of Donne's career as Dean of St. Paul's.

i

Donne's involvement in securing legal standing for the grammar school in Brentwood seems on the surface to be an exceptionally unlikely turn of events given the fact that Sir Anthony's grammar school actually opened its doors to students in 1558, during the reign of Queen Mary, and its founder had been dead since 1567. For Donne to have a role, the grammar school in Brentwood had to function throughout the reign of Elizabeth and nearly two decades into the reign of James without appropriate legal documentation; it was also necessary that the conditions of the

settlement of a suit brought in the Court of Chancery in 1569 had to be ignored by 10 Bishops of London and 3 Deans of St. Paul's. It was also, of course, necessary for James I to name Donne as Dean of St. Paul's Cathedral in 1621.

Tracing how these disparate events culminated in the production of the document now resting in the Essex PRO is the task immediately before us. Perhaps it will be good to start at the end of the story and say that the three signatories to the Statutes—Montaigne, Browne, and Donne—did their work well, for the Statutes they signed in 1622 served as the legal charter for Browne's grammar school for over 200 years. Indeed, the school itself is their continuing legacy, for it thrives as the Brentwood School, a lively English public boarding school which today has over 1100 students, both male and female, and a strong record of academic success.⁶

The narrative of events leading up to the summer of 1622 and an outline of Donne's role in the history of Sir Anthony Browne's grammar school have been well documented by R. R. Lewis in his *History of the Brentwood School* (1981),⁷ but the sequence of

⁶One may visit it at its website at <http://www.brentwoodschool.co.uk>. I am deeply indebted to John Kelsall, Headmaster of the Brentwood School at the time of my original work on this project (he has now been succeeded by D. I. Davis), and to Michael Willis, Archivist of the Brentwood School, for their courteous responses to my every inquiry about the history of the school and for sharing with me their transcripts of the Statutes and other documents basic to the school's history. The Brentwood School is very proud of its ancient association with John Donne and indeed perpetuates this connection by maintaining as its official motto the phrase "virtue, learning, and manners" from the text of the Statutes of 1622.

⁷*The History of the Brentwood School* was privately published by the Brentwood School in 1981; I am grateful to the University Library of Cambridge University, which has included this work among the books in its collection. Lewis points out (p. 37) that the Statutes of 1622 persisted

eventualities that brought Donne into this history is sufficiently complicated as to require a brief review of Lewis' account. This narrative will be further complicated by the fact that it will involve three separate people named Anthony Browne, whom we will call Anthony I (the founder and first patron of the grammar school, d. 1567), Anthony II (relative of Anthony I, served as patron of the school from 1580-1583), and Anthony III (co-signer of the Statutes of 1622, relative of Anthony I, inherited the role of patron in 1586).⁸ While Anthony II will make only a brief appearance, Anthony I and Anthony III will both have major roles to play in our story.

When Donne became involved in establishing the legal foundations for Sir Anthony's grammar school in 1622, the school had actually been in operation for over 60 years, since July of 1558. Lewis indicates that on July 5, 1558, Sir Anthony Browne, Sergeant-at-Law, received Letters Patent under the Great Seal from Queen Mary to establish a free grammar school in Brentwood. He then moved quickly, founding the grammar school on July 28, 1558 as a local school for the primary education of boys in "virtue, learning, and manners" and appointing one George Otway, a graduate of Cambridge University and "our friend in Christ, Priest, Master of Arts, a worthy man and sound in religion"

as the foundational document of the Brentwood School until the passage of the Brentwood School and Charity Act by Parliament in 1851.

⁸Specifics of the relationships among the three Anthony Brownes: Anthony I founded the grammar school in Brentwood in 1558 and died in 1567. Anthony II was his great-great-nephew; Anthony II inherited the post of patron of the school in 1580 upon the death of his father Wystan, who had inherited it from Anthony I's wife Joan in 1567. Anthony III is the man who signed the Statutes of 1622 along with Bishop Montaigne and Donne. Anthony III inherited the position of patron of the school in 1586 from his father John Browne, who had inherited it from Anthony II in 1583.

(Lewis, pp. 4-5) as its first school master.⁹ Sir Anthony the founder (Anthony I) then completed his founding task (or so he thought) by two acts. First, he established an endowment for the school on 31 July 1558, consisting of the Manor of Chigwell Grance and a house, farmyard, cottage, garden, and orchard in Brentwood which, according to Lewis (p. 6), "formerly belonged to one Richard Nightingale," a connection that will also appear in the 1622 Statutes. Second, on 10 August 1558, he had prepared and published "Statutes and Constitutions of the School," in accordance with the license given by the Royal Letters Patent.

In spite of his efforts to ensure the future of his grammar school, the initial transfer of authority and financial responsibility from Sir Anthony I to his heirs was almost immediately mired in controversy. When Sir Anthony I died on 6 May 1567, he bequeathed to his wife Joan the title of patron of the grammar school as well as property and the responsibility for using that property to support the school. According to the terms of Sir Anthony I's will, responsibility for the grammar school went, upon Joan's death, to his great nephew Wystan Browne, who was Sir Anthony I's older brother John's grandson.

Joan died in early November 1567; Wystan Browne seems to have viewed his inheritance more as an opportunity for exploitation than as a call to stewardship. Less than two years later, in 1569, a group of the citizens of Brentwood petitioned Sir Nicholas Bacon,¹⁰ then Lord Keeper of the Great Seal, and the Court of

⁹The schoolmaster in 1622 happened to be one Jeremy Plumtree, a graduate of Oxford; the first schoolmaster appointed under provisions of the Statutes of 1622 was Thomas Cartwright, M.A., an alumnus of Trinity College, Cambridge (Lewis, p. 52). He was named schoolmaster in 1627 and held the post until 1634.

¹⁰This case may have amused Sir Nicholas Bacon. The Spanish Ambassador is reported to have said in 1563 that Sir Nicholas Bacon was on the way out and Sir Anthony Browne was on the way in as Lord Keeper. Bacon might have relished the reminder that he had outlived his rival.

Chancery for relief from what they claimed to be Wystan Browne's abuse of the terms of Sir Anthony's will (Lewis, pp. 24-26). Apparently, Wystan Browne had been pocketing revenues from lands he inherited from Sir Anthony I which were designated by the terms of Sir Anthony's will for support of the grammar school and also for the support of a group of the poorest citizens of the town of Brentwood.

The Court of Chancery rendered its verdict in this matter on 3 May 1570. Among the terms of the settlement were orders that while Wystan Browne could retain the right to be the patron of the grammar school, he was directed to fulfill the terms of Sir Anthony I's will regarding revenues from the lands intended for support of the School and of a small number of the poor of Brentwood. Further (and opening the way for John Donne's later involvement), Chancery Court found that the Statutes prepared at the direction of Sir Anthony I in August of 1558¹¹ had never been legally executed (Lewis, p. 7). The Court directed Edmund Grindall, Bishop of London, and Alexander Nowell, Dean of St. Paul's, to prepare "Statutes, Ordinances, and Constitutions for the School" and the aforementioned poor people of Brentwood. In spite of their directives, Wystan Browne must have again tried to evade the terms of his benefactor's will, because orders for his compliance were again issued in 1573 (Lewis, p. 26).

Given the continuing existence of the grammar school in Brentwood after 1573, we must conclude that Wystan Browne ultimately complied with the orders of the Court of Chancery. So must his successors as patron—first, his son Anthony, then upon Anthony's death in 1580, Wystan's brother John, and then upon John's death in 1586, his son Anthony, who ultimately signed the Statutes in 1622, along with Donne and Bishop Montaigne. The same cannot be said of the religious leaders of the late Elizabethan

¹¹The 1558 Statutes do not survive, according to Lewis; had we a copy, we could clarify what is truly new in the Statutes of 1622. In their absence, however, careful, informed speculation is required.

Diocese of London within whose borders was found the county of Essex and the town of Brentwood.¹² This 1570 action of the Court of Chancery would have been long settled and surely forgotten in 1622 had it not come to pass that Bishop Grindall and Dean Nowell chose not to comply with the direction of the Court of Chancery. Nor did Grindall's successors as Bishop of London—Edwin Sandys, John Alymer, Richard Fletcher, Richard Bancroft, Richard Vaughan, Thomas Ravis, George Abbott, or John King. Nor did Alexander Nowell's successors as Dean of St. Paul's—John Overall or Valentine Carey.

As a result of their negligence, resolution of the long-ignored matter of Statutes for Sir Anthony Browne's grammar school was still unresolved when George Montaigne moved from his post as Bishop of Lincoln to become Bishop of London on 26 June 1621 and Donne soon joined him in the Cathedral Close as the new Dean on 22 November 1621. Happily for the grammar school in Brentwood, the pace of events then moved much more quickly. Less than eight months later, Sir Anthony Browne's grammar school in Brentwood finally had its official Statutes, signed, sealed, and delivered.

Thus, the history of this document suggests that the existence of the Statutes is the result of Donne's initiative. A response to a by now over-fifty-year-old directive of the Court of Chancery, the need to produce this document would seem to have been of very low priority when George Montaigne became Bishop of London and Donne became the Dean of St. Paul's. Nine Bishops of London and three Deans of the Cathedral had successfully evaded this responsibility; no one seems to have suffered for his failure to comply. George Montaigne's reputation for doing the minimum required of his office does not suggest that he would break this

¹²Brentwood is now in the Diocese of Chelmsford, which was created out of the Diocese of London in 1914.

pattern.¹³ The founder Sir Anthony Browne's cousin, namesake, and heir Sir Anthony Browne (Anthony III) had been serving as patron of the School since 1583 and the School was open and functioning; again, he may not have felt more than a passing sense of urgency in the matter. Even if he had actively sought to resolve the matter of his school's missing Statutes, he had had nearly forty years of opportunity with three deans and seven bishops to appeal to, but, to date, with no results.¹⁴

Donne, however, came to the post of Dean of St. Paul's from a very different background and with a substantially different mindset from his predecessors. Donne had, of course, been trained in the law at Lincoln's Inn and had served as Secretary to Sir Thomas Egerton when Egerton was in charge of the Court of Chancery. He renewed his connection to the world of the law when he served as Chaplain at Lincoln's Inn just before coming to St. Paul's. Donne was thus a priest and Dean steeped in the world of lawyers, documents, and courts. He was also intimately familiar with the concerns and proceedings of the Court of Chancery. The long untended matter of Statutes for Sir Anthony Browne's

¹³The historic record has not been kind to George Montaigne, who was moved out of the See of London by Charles I to make room for Laud to transfer from Bath and Wells on his way to Canterbury. Montaigne was demoted by being sent to the See of Durham, but is best remembered for his witty quip to the king when the Archbishopric of York became available, that if the king had but the faith of a mustard seed, "this Mountain would move to the See of York." The chief attraction of York seems to have been that if he were Archbishop of York he would not have to leave London but could reside in York House. Montaigne indeed was named Archbishop of York by Charles in 1628 but lived to enjoy the appointment less than a year after his assumption of the position.

¹⁴Nevertheless, obtaining Statutes for his ancestor's grammar school was among his last acts for the school; Sir Anthony III died in 1623, leaving the role of patron to his wife, who held the post until her death in 1649.

grammar school might easily have appealed to him as a matter worth clearing up, as a way to bring his old job skills to bear on a project in his new work environment. It is not inconceivable that he knew of this matter from his secretarial days in Egerton's household. The legal status of Sir Anthony Browne's grammar school was, after all, a matter left over from Sir Nicholas Bacon's tenure as Keeper of the Great Seal; it is not impossible to imagine the matter crossing Donne's desk at some point as business still pending when he was in Egerton's employ. Donne's legal background—both in his training and in his experience with the Court of Chancery—thus put him in a position either to seek out the directive to create Statutes for Sir Anthony Browne's grammar school upon his arrival at St. Paul's, or to respond positively to a renewed request from Sir Anthony III that this matter of his great uncle's estate be resolved.

As for the actual drafting of the document, Donne must have taken an active role. While dependent on previous documents as well as on Sir Anthony III for guidance as to the details of the Statutes, Donne did far more in drafting the Statutes than simply signing and sealing a document prepared and set before him by someone else. Direct evidence for Donne's taking an active interest in the composition of the document is provided in the text of the Statutes itself by the fact that on the several occasions in which Donne's name occurs together with the names of Sir Anthony Browne and Bishop Montaigne, Donne's name always comes last instead of being sandwiched between Montaigne and Browne as it is in the array of seals at the bottom of the document and as it might well be if a sense of church hierarchy (bishop/priest/layperson) were the driving motivation for the order of listing. We are greeted at the beginning of the document, for example, by "George by the sufferance of god Bishopp of London Sir Anthony Browne of Southweald...and John Donn Deane of the Cathedrall Church of St Paule." Later, we are told that the Statutes are "ordeyned made published and declared by George...Sir Anthony Browne...and John Donn Deane." This

ordering suggests that the document is written from Donne's perspective.

Internal evidence also suggests Donne's active hand in the composition of the document, at least to some limited extent. In seeking to uncover the degree of Donne's involvement, we must acknowledge that much of the document contains details about the operation of the grammar school and about the property used to house the school and its schoolmaster as well as to generate income for the school's support which Donne could not have known without extensive research and external direction from those at the grammar school. Sir Anthony III was surely the source for specific details of school practices concerning, for example, which towns in Essex were to supply the students, that the strong box for securing money was "a Cheste with foure Locks Locked," that the property set aside to support the school was named "Redcrosse," and other specific details about its functioning. Other sources definitely include the "deed trypartyte Indented dated the second day of Februarie in the fifte yere of the reigne (1563) of our Sovereigne Ladie Quene Elizabeth," called the Almshouse Charter by Lewis (p. 7), which is cited in the Statutes of 1622 as a source for instructions about how Sir Anthony I wanted to support the five poor people of Brentwood. Another source probably consulted, according to Lewis (p. 7), is the Statutes of 1558 which had been declared invalid by the Court of Chancery in 1570, plausibly argued by Lewis to be because "the change in religion" marked by the Elizabethan settlement of Religion had "made the Statutes [of 1558] obsolete in some respects" (Lewis, p. 7), but still useful in providing basic guidance as to the desired organization of the grammar school.

Nevertheless, other entries claim for the Bishop and the Dean a more active role than simply recording current practices at the school or repeating directions from documents no longer legally valid. For example, when in the Statutes we get to the matter of the five poor folk of Essex whom Sir Anthony I wanted to support, we are told that while "the said Sir Anthony Browne and Dame

Joane his wife...did in their life tyme by there deed" intended to be supportive:

which said deed beinge never executed accordingly standeth and is voyde in lawe to the great hinderance of the said charitable Act...wee the said George Anthony and John mindeinge to helpe the imperfection of the said deed as much as in us is, have selected and gathered out of the said deed the cheife and effectuall covenants theireof and have set downe the same Articles hereafter followeing and doe by these presente by force and authoritye of the said decree constitute name and appoint the same and everie of them to be kept and observed invyolabely for ever....

This description of an active role in doing legal research—we “have selected and gathered out of the said deed”—as well as drafting a document based on that research that is in a form appropriate to getting the job done “invyolabely for ever”—again points to Donne, for he was the only member of the triumvirate who possessed the legal skill to understand the language of previous documents, take from them appropriate information, integrate that information with details gathered from Anthony III, and, finally, cast the document in the appropriate legal language and insure that appropriate matters of form, content, and style for a Jacobean legal document were complied with. Also, if indeed Lewis is right that the reason the grammar school’s original Statutes (1558) were viewed by the Court of Chancery in 1570 as not valid is because of their treatment of religion, then a long section of the Statutes of 1622 addressing the matter of worship in the grammar school must surely be original with Donne.

It is likely, therefore, that, while the actual production of the document now in the Essex PRO was the result of efforts by professional legal secretaries who knew how to prepare parchment, inscribe a legal document, and assemble the sheets for signing and sealing, the content of the document—its language and

organization, together with the process of preparation of that content—reflects Donne's active participation. This participation included organizing material carried over from previous documents—the original Statutes of 1558 and the document describing Anthony I's plans for the relief of the five poor people of Brentwood—plus information gleaned from Sir Anthony III, patron of the school when the Statutes of 1622 were prepared, plus Donne's original contributions, especially in the area of prescribing the conduct of religious life at the school.

This document may also have engaged Donne's interest because of established links between the leadership of Sir Anthony Browne's grammar school and the English recusant community to which Donne still had personal ties in 1622.¹⁵ The religious leanings of Sir Anthony I, the Founder of the School, are clear; prior to the death of Queen Mary, he was a supporter of the old religion. Sir Anthony I was favored by Queen Mary; he founded his grammar school as a result of a Royal Charter issued to him by Mary on 5 July 1558. Mary also appointed him Chief Justice of the Common Pleas in October of that year. When he named his first master for the grammar school, he made a point of naming a priest "sound in religion," and provided the school with a silver seal bearing a traditional icon of the Trinity (Fig. 6).¹⁶ After Mary's death, according to the official history of the Brentwood School, both the Spanish Ambassador and Robert Parsons the Jesuit claimed that Sir Anthony I was a recusant (Lewis, p. 2). Yet, perhaps reflecting the political and theological complexities of the early Elizabethan period, his successful political and legal career survived into the reign of Elizabeth; he continued to serve as a

¹⁵Dennis Flynn, Donne's biographer, has pointed out to me that even in the Deanery of St. Paul's John Donne lived with a recusant, his mother, who never cut her ties with Rome or embraced Anglicanism.

¹⁶Lewis, pp. 5-7. This seal remained in use at the Brentwood School until 1871, although after Mary's reign the side with the Browne family arms was used, not the other side with its image of the Trinity.

judge until his death in 1580, and in 1567, presumably in recognition of his loyal service to the Crown, he was knighted by the Queen.



Figure 6: Image of the Seal of Sir Anthony Browne's grammar school, 1558. Photo: The Brentwood School, Essex.

Additional links between Sir Anthony's grammar school and the English recusant community are provided by another English family related to Sir Anthony Browne's family by marriage. At the time of the founding of the School, Sir Anthony Browne was married to a woman named Joan who had been married twice before. Her second husband had been a man named Sir Henry Beconshall; their daughter, named Dorothy, later married a man named Edmund Huddleston, son of Sir John Huddleston, a staunch supporter of the old religion who had been instrumental in helping Mary Tudor come to the throne by assisting her in her escape from the forces of the Duke of Northumberland after the death of Edward VI. In her flight, Mary spent a night in the Huddleston family home, Sawston Hall, near Cambridge, before moving on to safer quarters and her eventual coronation.

Northumberland's men, in frustration at her escape, burned Sawston Hall.

For his efforts in support of Mary, Sir John Huddleston was made a knight of the Bath and Captain of the Guard and served as one of Mary's Privy Counselors during her short reign. Mary also provided him with funds for the rebuilding of Sawston Hall, a project that was ultimately completed in 1584 by his son Edward, Anthony Browne I's step-son-in-law. Further evidence of this family's recusant associations during the reign of Elizabeth include the inclusion of a Priest's Hole at Sawston Hall—a space 8 feet long, 3 feet wide, and 6 feet high accessible by raising two boards in the floor—dating from the reconstruction work undertaken during the reign of Elizabeth I.¹⁷

The Huddleston family, clearly recusant, was also supportive of Dorothy's stepfather Sir Anthony I's desire to have a grammar school in Brentwood. Indeed, Dorothy and Edmund took it upon themselves the year after Sir Anthony I died in 1567 to provide a more suitable building for the grammar school. They laid the cornerstone of this new facility in early April 1568; this cornerstone, which survives in the fabric of the Brentwood School, bears both their names. The building they constructed, known today as the "Old Big Schoolroom," was completed sometime thereafter. The following year, of course, was the year in which the townspeople of Brentwood sued Wystan Browne in Chancery Court for his refusal to support his cousin's school to the extent commanded in Sir Anthony Browne's will, setting in motion the process that led ultimately to Donne's involvement in the story of Sir Anthony Browne's grammar school.

There is no evidence of which I am aware that Sir Anthony the Founder's namesake Anthony III, the Sir Anthony Browne who was Donne's contemporary and co-signer of the Statutes, had

¹⁷The spirit of Mary's reign still seems to haunt the place. Sawston Hall is today a tourist attraction noted for reports that the ghost of Queen Mary is occasionally visible in the house.

maintained his ancestor's ties to the English Catholic community.¹⁸ Indeed, one of the ways of understanding what we have in the story of Sir Anthony Browne's grammar school is the account of institutional transition through a time of religious and political change. Sir Anthony I's grammar school, founded in the reign of Mary, survived in part because it made a transition from being an institution imbedded in the religious culture of Marian Catholicism to being an institution informed by the religious culture of the reigns of Elizabeth and James. The Statutes themselves spell out the religious life of the school in explicitly Anglican terms: they require that the grammar school hire a priest of the Church of England to serve as schoolmaster, that prayer be conducted daily in the morning and afternoon on the model provided by the Book of Common Prayer, and that the Bishop of London be remembered daily in the prayers of the school. Other forms of accommodation were more pragmatic. The silver seal of Sir Anthony Browne's School, first used in 1558, has a very Catholic image of the Trinity on one side and the arms of Anthony I's family crest "impaling those of his wife" on the other; Lewis notes that after the reign of Mary the ban on images of the Trinity meant that the seal of the school was always "applied with the [Browne family] arms uppermost" (p. 8), so there was no need to replace the Seal to accommodate school practice to the prevailing religious climate.

Nevertheless, the grammar school's connection with the English recusant community both through its founder and through the Huddleston family's support for his grammar school may well have contributed to the delay in getting the school its Statutes. If we remember the argument that the original set of Statutes for the

¹⁸Indeed, if Lewis is correct that Thomas Cartwright, the schoolmaster appointed by Dame Elizabeth Browne in 1627, four years after her husband's death, was of Puritan leanings, the family might have been moving away from its recusant heritage by the early years of the seventeenth century. See Lewis, p. 52.

school (drafted in 1558) were rejected by the Court of Chancery in 1570 because they probably contained material that conflicted with the Elizabethan Settlement of Religion, then the reluctance of Donne's predecessors to help resolve the school's legal difficulties may well be attributable to their desire not to get involved with an institution with such strong recusant connections among the school's patrons and supporters.

On the other hand, the speed with which Statutes were prepared for the grammar school after Donne became Dean of St. Paul's in 1621 may also owe something to those recusant connections. As Brown Paterson has argued, King James' desire to reconcile the various faiths of his subjects changed the religious atmosphere in England, at least for a time.¹⁹ It seems reasonable to conclude that Donne's own ties to the English recusant community may have caused the matter of the grammar school in Brentwood to achieve higher priority for Donne, either because he knew about it on his own or because members of his family might have helped bring this matter to his attention when he suddenly found himself in a position to do something about it.

ii

The Statutes signed by Donne, Montaigne, and Anthony III begins with a Prologue, a short opening statement that greets "all christian people to whom this present wrighting...shall come," identifies the signers of the document, and gives a brief history of how they came to be involved in it. Here the signers act quite deliberately, reaching back in time in a very precise way to specify the day of the week, month, and year in which Sir Nicholas Bacon made the request to which they, at long last, are responding.

¹⁹For a discussion of James' ecumenism, see W. B. Patterson, *King James VI and I and the Reunion of Christendom* (Cambridge, 1997), especially pp. 339-64, on conversations among representatives of the Church of England and the Jesuit Order in 1622.

Noting that “in the terme of Ester that is to say on Wednesdaye being the third daye of May in the twelfth yeare of the raigne of our late Soveraigne Lady Elizabeth,” Sir Nicholas Bacon had “Ordered adjudged and decreed” that Statutes be drawn up by “the Reverend Father in god Edmund then Bishopp of London or of his successors and of Alexander Nowell Deane of the Cathedrall Church of St Paule in London or of his successors and of...Wistan Browne and his heires,” the signers signify that they are these men’s successors and that they “doe by these presents make ordaine publish and declare these Stattuts ordinances and Constitutions hereafter following.”

The text following this Prologue contains two major sections. The first establishes the grammar school in Brentwood and specifies the terms of its functioning; the second clarifies and defines a scheme for support of five poor people in Brentwood as a function of the grammar school’s administration.²⁰ The two functions, though on the surface quite separate in audience—the one consisting of school boys and the other, of poor adults—become connected in the document because the patron of the school is given responsibility for choosing the poor folk to be supported and the master of the school is given responsibility for providing housing, clothing, and, on occasion, funds for them. Indeed, the master of the school is empowered to choose the poor folk if the patron of the school refuses to do so.

Central to the document, of course, is its opening section, which sets out stipulations for the grammar school in Brentwood. “[T]here shalbe kept perpetually for ever in Brentwood aforesaid

²⁰Consideration of what is contained in these Statutes must also note the disappointment at what is not contained in them. There is no new or profound vision here of an educational philosophy, nor any trace of Donne’s having consulted a quite similar document that must have been close at hand; that is, John Colet’s famous Statutes for St. Paul’s School which was open and thriving within the St. Paul’s Cathedral Close during Donne’s time as Dean.

one grammer Schoole,” assert Donne, Montaigne, and Browne, with a “Schoolemaster [who] shall receive any Schooler that shall be to him offered out of the parish of Southweald or out of any parish within three miles of the said Schoolehouse and him shall teach and instruct in virtue Learneing and manners after the Orders and Constitutions of the said Schoole” from seven until eleven in the morning and from one until five in the afternoon, except in the summer when classes begin at six in the morning and conclude at six at night.

The Statutes also establish the school’s administration. The patron shall be Sir Anthony III or his heirs, starting with his wife Elizabeth. The master, “being a Preest,” and two guardians, “inhabitants of the parish of Southwealde,” are to be appointed by the patron. This power of appointment (the power of advowson) is given the patron on the basis that it is “donative and Collative and not presentative,” meaning that he may make these appointments independently, without consulting the Bishop of London.²¹ The master, the two guardians, and the patron each have a say in the financial affairs of the school, for the money to run the school is to be kept in “a Cheste with foure Locks Locked,” and each of the four members of the Corporation has a key. As a result, all four have to agree to any expenditure of school funds.

We should be relieved to note that the schoolmaster in this school has at least a kind of tenure—“after he shalbe named appointed and perfected thereto as aforesaid shall have hold and enioye the same schoole and shall remaine there and thereof Schoole Master dureing his life without any other presentation institucion inducting or investing by any other waye or meanes of any other”—although we soon learn there are limits on his tenure. He must teach “any Schooler that shall be to him offered out of

²¹I am grateful to members of FICINO, especially Dan Knauss, and also to Diarmaid MacCulloch of the Faculty of Theology at Oxford University for helping me clarify the meaning of this section of the Statutes.

the parish of Southweald or out of any parish within three miles of the said Schoolehouse"; he must be present to teach, except for twelve vacation days; he must live in Brentwood; he must not be a "common gamester or haunter of tavernes," nor behave in any way as to "become an infamy to the schoole and an evell example to the schoolers"; and he must carry out his assigned responsibilities to the five poor folk also supported by Sir Anthony I's estate.

School terms at the grammar school in Brentwood were to run year-round except for specified vacations that include "a weeke before Christmas and the twelve dayes in Christmas and three dayes after the twelve dayes and five dayes before Ester and Ester weeke five dayes before Whitsontide and Whitsonweeke and the Summer Commencement weekes in Cambridg and Oxford"; the schoolmaster also gets twelve additional days of vacation independent of the liturgical or academic calendar. School is to be in session "by Seaven of the clocke in the morneinge in the winter tyme and theire to tarrey until eleven of the clocke in the forenoone" and, after a two hour break for "dynner," from "one of the clocke in the afternoone and there to tarrey until five of the clocke at nighte and then to super." In summer, defined as running from the first day of March until 20 October, the school day is extended, running from six in the morning until six at night (with the two hour break for dinner).

The Statutes also contain a number of insights into daily life in the School: "no scholler shalbe permitted to play at cardes dice or tables or to daunce at anie tyme out of Christmas," we are told. The reference to such activities being permitted in the Christmas season gives us some insight both into the extent to which student behavior is to be restricted during school terms and also into the character of the twelve-day Christmas season as a time of relaxing these restraints. Also, decorum is to be observed: students are to "reverence theire Patron shcolle master and gardiens at all tymes and places with Capp curtesie and othere civill behavior and shall behave themselves civillie decentlie and curteouselie towards all other persons." There are admissions standards: students are not to

be admitted to the school unless they know how to “wrighte and reade written and printed hand before his comeinge theither.” And scholars may be expelled if they are under the age of eight or over the age of eighteen, or if they happen to have or exhibit an interesting array of childhood illnesses or behaviors:

the great pocks smale pocks falling sicknes francy
 Lunacy running sore or such like or any other noysome
 or infectious desease or sickness uppon him or if he shall
 come out of any company or ayres knowne or suspected
 to be infected with the plague the sweet small or great
 pocks or infectious deseases or sicknesses or if he be a
 drunkard common picker a haunter of weomen common
 dancer or dyceplayer and will not be controuled or
 reformed with one or two warneings or corrections or if
 he be a common swearer or lyer or conspirator against
 the Schoole Master in bodily harm or feare or shall offer
 him any bodily hurt in word or deed weaknesses of
 nature or unaptness of the Capasitie of the schooler and
 such other which are lefte to the discrecion of the
 Schoole Master.

Further, no students may live in “anie Inn Alehouse or Taverne except the said shcooller be sonne or kinsman to the said Inkeep or taverner and the said Inkeep alehouse keep or taverner doe give the said sonne or kinsman his boord freelie,” nor may they “disobey the shcoole master or hurt or slander the patron shcolemaster or anie of the gardens in bodie name or goods,” for “that offence shalbe cause of expulsion of that shcoller from that shcoole for ever.”

The Statutes give the schoolmaster great latitude in organizing the academic day and regulating student activities; although he is ordered to employ monitors “to observe the devotion manners behavior conditions and diligence of the shcollers,” he is also given wide discretion in responding: “the said shcoolmaster [shall] correct accordinge to his discretion.” He is also permitted to hire an assistant to help him with his teaching duties. On the other

hand, the conduct of worship in the school is carefully prescribed. Special attention should be paid to directions for the organization of the religious life of the students, for this, as I have indicated, may well be one place Donne's hand is most visible in this document.

Recalling that the 1558 set of Statutes prepared for the school of necessity reflected Catholic practices rather than the practices of the Church of England, the Statutes of 1622 put a distinctively Anglican stamp on the religious life of the grammar school's students. Indeed the religious life of students should have both a daily component within the school itself and a weekly component connected to the parish church of St. Peter in South Weald. Daily,

the said shcoolemaster and shcollers and there successors for ever shall dayly evrie shcooleday in the shcoolehouse morneinge and eveninge devoutely kneelinge upon there knees say together such psalmes of David and other godly praiers as by the election and discretion of the said shcoole maister shalbe thought most meet and convenient wherein amongst other things they shall dayly pray for the church of Christ, for the prosperous estate and preservacion of the prince for the tyme beinge and of the Realme for the Byshopp of the dyoces of London for the tyme beinge for the patron of the said shcoole for the tyme beinge and his posteritie for the towne of Brentwood and parishe of Southweald for there parents frends and all others there benefactores and for the shcool master and Gardens of the same shcoole.

This prescription for worship, that is, follows the pattern for daily worship prescribed by the Book of Common Prayer with its rites of daily Morning and Evening Prayer, although the schoolmaster is also given discretion to vary from the set Prayer Book texts so long as the basic patterns of selections from the Book of Psalms

and prayers for the crown, the government, the bishop of the diocese, and the local society are followed.

The influence of the Book of Common Prayer on this description of worship to be arranged for the boys in the grammar school is to be seen in details both small and great. The schoolmaster is, for instance, instructed to order things so that "every Wedinsdaye and frydaye in the Morneing att times appointed for divine service shall saye or cause to be said divine service usuall for those dayes in the Chappell of Brentwood," which would consist of Morning Prayer and the Great Litany, according to directions provided by the Book of Common Prayer. Further, on Sundays, the school master "shall cause all his schoolers inhabiting or sojourneing within the parish of Southweald to be att prayers and att the sermons in the foorenoone every sabboth daye in the parish Church of Southweald aforesaid and there to sitt all of them together by themselves in the seats provided there for them." In addition to the required presence of the schoolmaster and his students, the disciplinary arrangements of the school also extend to Sundays: "the moniters [are] to take the names of the absents and the misdemeanors of the presents and that those of out parrishes be examined of there diligence at their paryshe Churches." Finally, sermons heard on Sundays become part of the school's curriculum on Mondays: "those which shalbe able shall take nootes of the sermons in wrighteing and deliver them fairely written to the schoolemaster on the monday morneinge next after."

Clearly, the plan for the religious life of the grammar school in Brentwood is intended to use the model for worship structured by the rites and practices of the Book of Common Prayer to organize student worship. The pattern of daily offices using the Psalter and prayers for authorities in the school itself, when connected to Prayer Book services in the Chapel in Brentwood on Wednesdays and Fridays, and worship in the local parish church on Sundays link the religious life of the grammar school deeply into the

rhythms of the Church of England as Donne himself lived it out each day and week in St. Paul's Cathedral.²²

The section of the Statutes that concerns establishment of the school also includes instructions for its financial affairs, including administration of lands that support the school. Here, one learns a good bit about Tudor forestry techniques regarding the cutting of wood on this land; in the process of cutting, "there shalbe reserved to the nombre of foure younge Oake trees, in evrie acre" to encourage reseeding of the trees, we are told.²³ Also, we are told how the schoolmaster will be paid for his efforts, where he is to live, and other details of the conduct of decision-making and other features of life at a functioning grammar school. In other words, the bulk of the document consists of the kinds of things that are of necessity the concerns of the legal profession; they are organizational and procedural matters like the handling of money and property, the responsibilities of office and position, the methods for commencing or terminating people in positions of responsibility—just the kinds of things that are both so necessary and so tedious to most of us.

The second long section of the Statutes, which details how the five poor folk of Brentwood are to be supported, offers further glimpses into the structure of social life in early seventeenth-century England. Here we learn the gender of the five poor folk are to be chosen—three are to be men; two, women. We learn that they must be single and must never marry nor have anyone living with them except "a boye under the age of thirteen yeres or a girle under the age of twelve yeres without the licence of the patron." They "shalbe allwaies chosen of the Inhabitants of Southweald

²²This impression is reinforced by references to the liturgical calendar of the Church, with terms, dates for payment, and other features of the academic year pinned to events like the Feast of St. Michael and All Angels.

²³The practice of coppicing or copping, cutting wood regularly but also allowing young trees to stand to encourage regrowth for further cutting.

Brentwood or Brookstrete and not else where except therebe no such poore folkes there inhabytinge and then out of Whight Rooding.”

Poor people so chosen are to live highly regulated lives, avoiding behaviors thought inappropriate for them:

if any of them shalbe an advouterer or baud common drunkard common and open slanderer or scould or if any of them shall commit treason murder or felony or be occasion to any of them or if any of them shalbe an heritique or sismitique whereof he shalbe convict or condemned or a continuall franticke or shalbe a common picker or shall willfully or voluntarily waste or spolye there place of habitation or the place of habitation of anie of their fellows or the pales hedges or implementes to them or any of them appointed or belonginge or if any of them shalbe married all these shalbe peremptory causes of removeall of the party offendinge from his place and habitation.

Nor can they leave the lodging provided for them for any more than a short length of time, nor may they be “a hedg breaker pale or wood stealer a harborer of any other person a haunter of the Alehouse or a common tale teller or shall pawne or pledge hys robe or any of the implementes of the place to him or her appointed or shall keep hogges swine or pigges.” In addition, certain behaviors of the five poor people are to be expected. They are to attend church services every Sunday, Holy Day, Wednesday, and Friday; they are also to attend the funeral of any of their band who dies, and they are to wear at the funeral the robe they have been given by the schoolmaster on behalf of the patron. In exchange for this highly restricted style of life, they get a place to live, furniture, clothing, and care in time of sickness.

This part of the Statutes illustrates one of the forms of social organization that was going through transformation in England after the Reformation. Poor relief in the Middle Ages was chiefly

the responsibility of the Church, especially the monasteries; after their dissolution, care for the poor became specifically the responsibility of parish churches, as laid out, for the purpose of these Statutes, in the Poor Relief Act of 1601. Perhaps because regard for the poor, for living "in love and charity with [one's] neighbors"²⁴ is a constant refrain in the official liturgies and homilies of the Church of England, there was an upsurge in charitable giving in the years after the Reformation. The Brownes, through their directions for the support of the five poor folk of Brentwood, were here participating in this movement and also helping the folk of St. Peter's parish church in South Weald to shoulder their burden of poor relief by assuming some of it on a long-term basis.

iii

Of special interest to Donne scholars is the seal on this document. Used to make his signature official and to help secure the ribbons linking the two sheets of the Statutes, it is a circular

²⁴Quotation from the invitation to General Confession in the Communion rite of the Book of Common Prayer. For a discussion of the emphasis on good works in the official documents of the English Reformation see my essay, "Godly and Fruitful Lessons: The English Bible, Erasmus' *Paraphrases*, and the Book of Homilies," in *The Godly Kingdom of Tudor England: Great Books of the English Reformation*, ed. John E. Booty (Morehouse, 1981), pp. 47-135. See my further discussions of the theology of the Book of Common Prayer in *Transformations of the Word: Spenser, Herbert, Vaughan* (Georgia, 1988). For fuller discussions of treatment of the poor in Tudor/Stuart England, see studies by Paul Slack, esp. *Poverty and Policy in Tudor and Stuart England* (Addison-Wesley, 1988) and *From Reformation to Improvement: Public Welfare in Early Modern England* (Oxford, 1999). I am grateful to Diarmaid MacCulloch, Professor of the History of the Church and Fellow of St. Cross College, Oxford, for helping me clarify this point in the Statutes.

object approximately one and one-quarter of an inch in diameter which Donne pressed into a lump of red wax (Fig. 5). Its image in the wax mirrors the details of the seal itself, indicating that the boundary of the seal is defined by an incised line running around the circumference of the seal, containing a shield-like form within, approximately one inch across, straight on the top and sides and formed into a soft "V" at the bottom. The shield is divided into half by a vertical line that runs from the top center of the shield to the point of the "V" at the bottom. Inside the shield, to the right of the central line on the impression (and therefore to the left in the original object) is the form of an animal standing on its hind legs and rearing up with its front paws in the air. On the other side is a pair of crossed swords. Above the shield but still within the boundary circle of the seal is the capital letter "D."

This image is at once familiar to us, and strange as well. Its familiarity derives from the fact that the same image appears as part of the design for Donne's monument in St. Paul's Cathedral, as recorded by William Sedgwick in a drawing from 1641 (Fig. 7) now in the British Library. This image, first published by Richard S. Peterson in his fascinating account of the Donne monument,²⁵ served as the model for Wenceslaus Hollar's engraving of the Donne monument printed in William Dugdale's *History of St. Paul's Cathedral* in 1658 (Figs. 8 and 9). Sedgwick and Hollar after him show the seal's central image at the top of a triangular form presumably carved into the wall above the alcove containing the famous figure of Donne in his winding sheet and above the monument's chief inscription, the only difference between them being the fact that in the image on the monument the shield around the crossed swords and the rearing animal has disappeared and the letter "D" has been brought into closer proximity to the crossed swords.

²⁵"New Evidence on Donne's Monument: I," *John Donne Journal* 20 (2001): 1-51.

In ecclesia cathedrali s. Pauli
London mensis Junij 1641

Edm. chorarii et
Alex. Audoletus

Ex auctoritate Johannis Donne
S. T. P. Regius Professor Poeticus

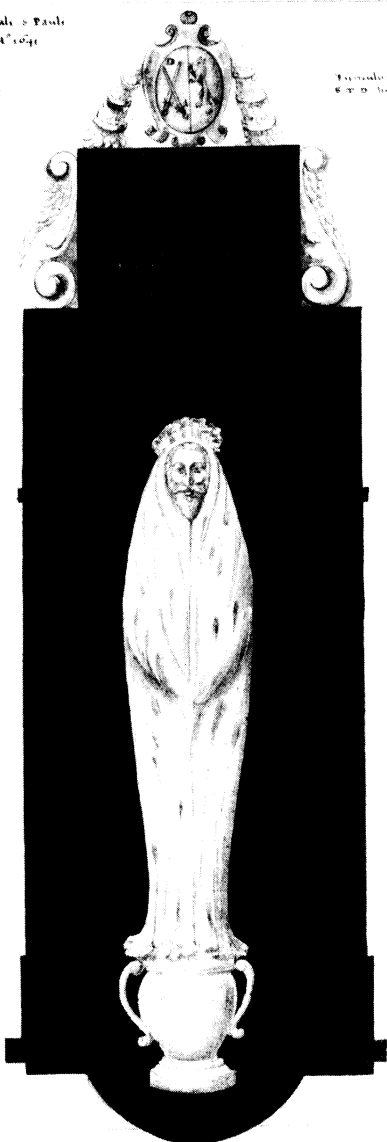


Figure 7: William Sedgwick, drawing of Donne's monument (1641), from British Library Add. Ms. 71474, fol. 164. Photo: British Library.



Figure 8: Wenceslaus Hollar, engraving of Donne's monument for Dugdale, *History of St. Paul's Cathedral* (London, 1658), p. 62. Photo: Cambridge University Library.



Figure 9: Detail of Hollar's engraving for Dugdale, *History of St. Paul's Cathedral* (London, 1658), p. 62. Photo: Cambridge University Library.

The image of the seal found in these drawings of the Donne monument help us identify its component parts. The crossed swords are taken from the arms of the Diocese of London; they, together with the letter "D," constitute the arms of the Deanery of St. Paul's Cathedral.²⁶ The animal to the right of the shield can be identified in heraldic terms as "A wolf rampant," which is a feature of the arms of a Welsh family of Donnes which John Donne

²⁶The seal of St. Paul's may be seen today on the website of St. Paul's Cathedral at <http://www.stpauls.co.uk/>.

apparently claimed as his paternal ancestors.²⁷ Bald (p. 534) and others have described the arms on the funeral monument as representing the arms of St. Paul's Cathedral impaled with Donne's family arms, a typical practice of the age for public officials. The seal on the Statutes of 1622 clearly bears the same coat of arms as the image in both Sedwick's and Hollar's depictions (Figs. 7, 8, and 9). This is Donne's official seal as Dean of the Cathedral; its use has the function of conveying the official status and authority of Donne's position to the document which bears it. Interestingly, this seal is not the one to be found on the late nineteenth-century reconstruction of the Donne memorial now visible in the current St. Paul's; the stone carvers apparently misunderstood the design of the original and turned the "wolf rampant" of the seventeenth-century image into what is now clearly a "horse rampant" (Fig. 10).²⁸

Yet the image that is at once so familiar is also strange and unfamiliar, because this seal is not part of any discussion of Donne's seals in any of the extant accounts. Donne's use of seals is discussed most extensively by Gosse, Bald, and Gardner, none of whom describes his use of the seal we find affixed to the Statutes of 1622. From their arguments, we may conclude that Donne used several devices in seals intended for use in personal correspondence. One of these, according to Donne in the poem "To Mr. George Herbert, with my Seal, Of the Anchor and Christ," involved "A sheafe of snakes." This seal is certainly related to, and in fact may be identical to, a seal described by Gosse as "a

²⁷See Bald's discussion of Donne's ancestry (*Life*, pp. 20-21). The wolf is "rampant" and not "salient," as some have described it, because the legs and paws on the figure's right side are raised above the legs and paws on the left side.

²⁸I am indebted to St. Paul's Cathedral, London, and to its able librarian Joseph Wisdom, whose support for this essay included examining the seal over the Donne Monument in St. Paul's through binoculars.

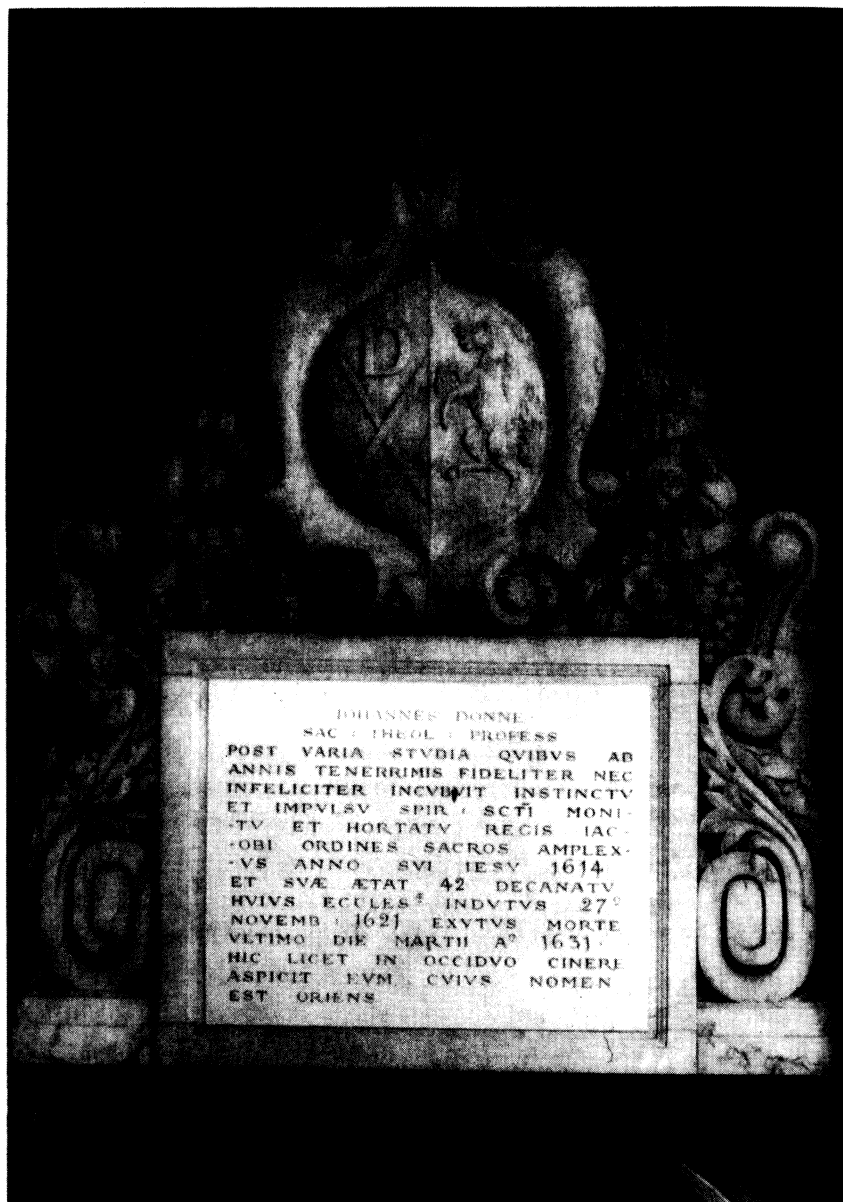


Figure 10: Donne's Seal "Restored" (1873). Detail from the Donne memorial in its current reconstruction in St. Paul's Cathedral. Photo: Conway Library, Courtlund Institute of Art.



Figure 11: Donne's family crest. Detail from the 1591 engraving of Donne by William Marshall, prefixed to *Poems*, 1635.

device of a wolf salient, surmounted by a crest of five serpents entwined" (I:4), presumably the family crest shown in the upper right of the 1591 engraving of Donne by William Marshall (Fig. 11). An example of Donne's use of the seal described by Gosse may be found on a letter Donne wrote to John Williams, Bishop of Lincoln, in 1626 which is now in the Lincolnshire Archives.²⁹ Later, of course, on the evidence supplied by Donne in his poem to George Herbert, the Dean of St. Paul's used for personal

²⁹I have examined an image of this seal supplied me by the Archivist at the Lincolnshire Archives; it clearly is based on the image in the 1591 engraving, with the "wolf rampant" on a shield surmounted by a helmet with the snakes atop the helmet.

correspondence a seal that combines a crucifix and an anchor which Donne describes as "a Catechism, not a Seal alone."³⁰

None of these seals, of course, looks like the seal on the 1622 Statutes and on the Donne memorial in St. Paul's. On neither of these images is there a snake in sight. While both Bald and Gardner assert that Donne used the "wolf rampant (or salient)" image as part of his seal while Dean of St. Paul's, they both discuss Donne's seal in relationship to the seal on the letter to Bishop Williams (which includes the snakes missing from the seal on the Statutes) rather than in relationship to the image of the wolf with crossed swords that appears on the Donne monument. Indeed, given the convoluted character of their discussions of Donne's seals, my strong suspicion is that none of Donne's biographers recognized the significance of the image on the Donne monument because they had never seen an example of that image used as a seal on a letter or document.

We may now clarify Donne's use of seals by recognizing that his previously known seals (the "wolf rampant" seal with its sheaf of snakes and the seal with the cross and anchor) represent personal seals, used with private documents such as personal letters. The seal on the Statutes of 1622 represents Donne's official seal as Dean of St. Paul's Cathedral, giving the authority of his office to documents to which it was affixed. The use of this seal as part of the design for the Donne memorial identifies the figure below it in terms of Donne's official capacity as Dean of the cathedral in which his effigy (still) stands. Presumably, had St. Paul's not burned down in 1666, the archives of official documents in the Cathedral would contain many examples of Donne's official seal, but the dispatch of the Statutes of 1622 to Essex made possible the

³⁰Quotations from Donne's poem are from the edition of *The Divine Poems* by Helen Gardner (Oxford, 1952), pp. 52-53. See Gardner's helpful discussion of this seal, pp. 138 ff.

survival of what must be said, at least for now, to be a unique example of its use.³¹

iv

What are we to make, then, of the Statutes of the Brentwood School and Donne's role in their production? Donne's historic importance is sufficient that anything that sheds light on his life and times is significant. Because of the Statutes, we can now place Donne in London in the middle of July of 1622, when he, together with Bishop Montaigne and Anthony III, signed and sealed the document which was to serve as the legal foundation for the activities of the Brentwood School for over two hundred years. We have, as well, a richer idea of the kinds of activities Donne was called upon to perform as Dean of St. Paul's; we also now know what his official seal as Dean of the cathedral looked like. That said, I must conclude that the Statutes of 1622 now identified as a work in which Donne was involved to a greater or lesser extent, while it does enhance our understanding and broadens our knowledge, does not at once change fundamentally our image of Donne the Dean. It does fill in some details of Donne's activities in the summer of 1622; it perhaps indicates Donne's continued interest in the affairs of the Court of Chancery some years after his career as Sir Thomas Egerton's secretary came to an end. It also suggests some of the possible complexities of English institutional history during this period and some lines of inquiry regarding Donne's connections to the English recusant community. It shows

³¹Given Donne's previously expressed fascination with the possibility that people might meet at the moment of Resurrection (in his poem "The Relique," for example), and given the fact that Donne's monument in St. Paul's was situated adjacent to the monument to John Colet, Dean of St. Paul's from 1504-1519, one must wonder if Donne anticipated a meeting with his famous predecessor as he posed for the statue and planned the details of his memorial.

Donne functioning as a church official and suggests the range of activities in which such an official in Donne's day might find himself involved. It reveals Donne giving just the kind of advice about the conduct of worship at the grammar school in Brentwood that one would expect the Dean of a cathedral of the Church of England to give at this point—i.e., enforce the expectations of worship as set forth by the Book of Common Prayer—while at the same time allowing the priest who was to be the schoolmaster some latitude to adapt that discipline of daily offices and church attendance to the needs of his students.

Thus the witness of this document is to Donne the legally trained mind, not Donne the poet of wit or Donne the metaphysical preacher. The Statutes of the Brentwood grammar school provides us a fuller understanding of Donne's skills and talents and gives us a sample of Donne's using a voice different from his poetic or homiletic or devotional voices with which we are more familiar. Obviously, the job was done well, considering that this document continued in force and served the grammar school well for over 200 years. But one returns to Donne's sermons of 1622 with some relief that his legal career was a brief one. History is full of ironies; had Sir George More not responded to Donne's clandestine marriage to his daughter Ann by having him fired from his job as Secretary to Sir Thomas Egerton, a personal and financial catastrophe that started him on a journey down a quite different career path, the pages of Potter's and Simpson's edition of Donne's prose might today contain documents much more like the Statutes of Sir Anthony Browne's grammar school than the sermons of the Dean of St. Paul's.

Nevertheless, Donne's role in the Statutes does open one new line of inquiry that in the long run may influence how we read his sermons and devotional writings. The Statutes comes to us as an example of professional writing, representing as it does a work composed to meet specific needs that functions properly within clearly defined rules of composition, content, and appearance. To constitute a document recognizable by the Court of Chancery as

securing the legal standing of Sir Anthony Browne's grammar school and prescribing for it enforceable patterns of admission, instruction, and financing, the Statutes had to address these matters in the appropriate language and format, and had to have the appropriate elements of preparation and appearance, including the signatures and seals in which Donne's role and hand appear most conspicuously.

This document reminds us that Donne's sermons and devotional writings also represent examples of professional writing, albeit according to the practices and expectations of the profession of the ordained clergy rather than those of the legal profession. Although we tend to view Donne's professional writings as Dean of St. Paul's in literary terms, interpreting them as prose essays on theological subjects, the Statutes remind us that they were composed for delivery in very specific contexts and with very specific audiences, in particular within the practice of liturgical worship performed for and with congregations of parishes, chapels, and cathedrals according to the Book of Common Prayer which is at the heart of professional practice for the clergy of the Church of England. The long-term consequences of viewing Donne's religious writings as examples of professional practice may be considerable.

North Carolina State University

Appendix

Document D/DBg 1/27, Essex Records Office, Chelmsford

Editor's Note: This transcription of Essex PRO D/DBg 1/27 is by permission of the Archivist, Essex Record Office. Copyists' directions to double consonants have been silently complied with and contractions and symbols for words like "which" have been silently expanded. Otherwise, the spelling is as it is in the original. Punctuation of the original has been preserved, along with general features of the text regarding spacing of sections of text and the visual organization of information. Punctuation is rare, sporadic, and inconsistent, but I have tried to reproduce it faithfully. The document in the Essex Record Office is in overall splendid condition except for a few places in the text where the ink has faded beyond recognition. In these places, the reading has been supplied from a typescript in the archives of the Brentwood School; this reading is located in square brackets. My thanks go to Michael Willis, Archivist of the Brentwood School, for supplying me with this transcript. This transcript was apparently made to provide the school with a copy of the document in the Essex PRO; it is generally consistent in reflecting the spelling of the original but the copyist has added a modern scheme of punctuation and line spacing which I have not followed. On some occasions, my reading of the secretarial hand of the original differs from the typescript, and at those points I have followed my own reading.

The text of the Statutes has been printed once before, in a modern-spelling edition, in the context of a nineteenth-century controversy about the administration of what by then had become known as "the Free Grammar School at Brentwood." See Anon., *An Inquiry into the Revenues and Abuses of the Free Grammar School at Brentwood* (London, 1823). I would also like to express my indebtedness to participants in the FICINO Internet discussion group, especially Harm-Jan van Dam, Karen Reed, Garmaine Warkenton, Elisabeth Leedham-Green. Andrew Zurcher, Valerie Rees, and R. J. Fehrenbach for their help in translating various Latin phrases. Special thanks go to Diarmaid MacCulloch, Professor of the History of the Church and Fellow of St. Cross College, Oxford, for his help in understanding legal and other technical vocabulary in this document.

<sheet one>

Anno Domini 1622¹

To all christian people to whom this present wrighting indented shall come George² by the sufferance of god Bishopp of London Sir Anthony Browne³ of Southweald in the County of Essex knight Cosen and heire unto Sir Anthony Browne⁴ knight deceased late one of the Justices of the common Pleas att Westminster to the late Queene Elizabeth of famous memory and Cosen and heire to Wistan Browne Esquire and patron of the Grammer Schoole of Anthony Browne Seriante att the law in Brentwood in the County of Essex and John Donn⁵ Deane of the Cathedrall Church of St Paule in London send greeting in our Lord god everlasting Whereas in the terme of Ester that is to say on Wednesdaye being the third daye of May in the twelft yeare of the raigne⁶ of our late Sovereigne Lady Elizabeth by the grace of god of England France and Ireland Queene defender of the fayth etc It was amongst other things by the right honourable Sir Nicholas Bacon knight Lord keper of the great Seale of England and her Maiesties Court of Chancery by the assente and consent of the said Wistan Browne⁷ then patron of the said Schoole Ordered adiudged and decreed

¹The date is imbedded in the large initial "T" of "To all"; see Figure 1.

²George Montaigne (also Montaigne and Mountain), Bishop of London 1621-1627.

³Anthony III (d. 1625). Anthony III inherited the role of patron of the grammar school in 1586 from his father John, brother of Wystan Browne, who had inherited it upon the death of his nephew Anthony II (Wystan's son) in 1583. Anthony II had inherited the role of patron from his father Wystan upon Wystan's death in 1580.

⁴Anthony I (1510-1567).

⁵John Donne, Dean of St. Paul's Cathedral 1621-1631.

⁶1570.

⁷Wystan Browne (d. 1580) son of Anthony I's brother John, thus Anthony I's grand-nephew.

that the Stattutes Ordinances and Constitutions of and for the said grammer S[choole] and of and for the re[liefe] of [cert]eine poore people within the parish of Southweald in the said County of Essex of the foundation of the said Sir A[nthony] Browne and of dame Johan his wife sh[ould be made] and Ordered by the appointment of the Reverend Father in god Edmond⁸ then Bishopp of London or of his successors and of Alexander Nowell⁹ Deane of the Cathedrall Church of St Paule in London or of his successors and of the said Wistan Browne and his heires as by the same order and decree more att large it doth and may appeare know yee that wee the said George Bishopp of London Sir Anthony Browne and John Donn doe by these presents make ordaine publish and declare these Stattuts ordinances and Constitutions hereafter following

Statutes ordinances and Constitutions ordeyned made published and declared by George by the permission of god Bishopp of London Sir Anthony Browne knight and John Donn Deane of the Cathedrall Church of St Paule in London the eighteenth daye of July in the twentyth yeare of the raigne of our Sovereigne Lord king James Concerneing the grammer schoole of Anthony Browne Seriante att the Law in Brentwood in the County of Essex the Schoole Master Gardians and possessions of the same

Imprimis that there shalbe kept perpetually for ever in Brentwood aforesaid one grammer Schoole of the foundation of Anthony Browne the kinges and Queenes Seriante att the Law

Item the bodie and Corporacion of the said schoole and fountation shalbe of one Schoole Master being a Preest and of two gardians of the lands tenementes and possessions of the same schoole

⁸Edmund Grindall, Bishop of London 1559-1570.

⁹Alexander Nowell, Dean of St. Paul's 1560-1602.

Item the said gardians shalbe from time to time forever of thinhabitants¹⁰ of the parish of Southwealde in the said County of Essex

Item that bodie and Corporation is and shalbe perpetuall and is and shalbe incorporated a bodie pollitique perpetuall forever in right name and in deede and shall have succession and Common Seale for ever

Item the said Anthony dureing his life and after his decease Elizabeth wife of the said Anthony and after her decease the heires of the said Anthony shall be true and undoubted patrons of the said schoole fountation and bodie Corporate for ever And the same schoole and said Corporation and all the members thereof shalbe of the patronage and free disposition of the said Anthony and Elizabeth and the heires of the said Anthony as aforesaid for ever

Item that the said schoolemaster of the said schoole and gardians shalbe in all times to come perpetually to endure for ever made named appointed and perfected by wrighting sealed by the said Anthony during his life and after his decease by the said Elizabeth wife of the said Anthony during her life and after there deceases by the heires of the said Anthony and the heires of those heires for ever

Item the schoolemaster of the said schoole after he shalbe named appointed and perfected thereto as aforesaid shall have hold and enioye the same schoole and shall remaine there and thereof Schoole Master dureing his life without any other presentation institution inducting or investing by any other waye or meanes of any other:

Item that every gardian of the said Lands tenementes and [possessions] of the said school shalbe removeable att the will of the patrons of the same schoole for the time being

Item that the said schoole and all the members thereof shalbe for ever by the said patron for the time being donative and Collative and not presentative att any time or by any meanes¹¹

¹⁰i.e., th'inhabitants.

Item that every gardian of the Lands tenementes and possessions of the said schoole after he shalbe named appointed and perfected gardian as aforesaid shalbe one of the gardians of the possessions of the same schoole without any other patronage institution induction or investing by any way or meanes of any other¹²

Item if the said schoole shalbe voyde of any Schoole Master or gardian by the space of two monethes and that notified to the patron for the time being then if the patron doe not present or

¹¹This section of the Statutes spells out the rights of the patron of the School in making appointments to posts at the grammar school. It basically says that the patron can appoint or remove from office whomever he pleases as schoolmaster or guardian of the Grammar School so long as they meet basic requirements specified in the Statutes. The school master must be a priest, for example. The patron does not have to go through the process of recommending the person being appointed to the bishop of the diocese (in this case, the Bishop of London) in which the school is located and having the bishop actually make or at least approve of the appointment. Nor does he have to consult the Bishop of London or anyone else before removing someone from one of these posts. The terms used here define the patron's right of advowson, the right to present a person to the church for appointment to a certain position. Normally, the kind of advowson possessed by the patron is called "presentative," which means that the patron must present the person to the Bishop for canonical qualification. Technically, the advowson is said to be "collative" if the patron and the bishop are the same person (because the two offices are intermingled in one person) and "donative" if the patron has the right to put the person in the office without presenting him to the bishop. What is happening here is that the Bishop of London, as a signatory to the Statutes, is waiving his right to have a role in appointments to posts at the grammar school by permitting the patron to make them without consultation with the Bishop of London.

¹²Building on the previous point, this passage means that no one else will be involved in the appointment of anyone who is a guardian other than as specified in the process of appointment set up by the Statutes.

collate a Convenient parson being a prest to be Schoole Master of the said Schoole or a Convenient person to be gardian of the Lands tenements and possessions of the said schoole as the cause shall happ or require within one moneth next after the said notifiecacion shalbe thereof made as aforesaid that then it shall and may be Lawfull for the said George now Bishopp of London or his successors after Bishoppes of London for the time being within one moneth then next following to present and Colate to the same place and office being voyde for that time onely and soe as often as the cause shall fall and happ Saveing allwayes to the said Anthony dureing his life the patronage and forme of guifte of every donation and after his decease to the said Elizabeth dureing her life and after to the heires of the said Anthony the right of patronage thereof other times when the same shalbe voyd

Item the licence and Charter of foundation of the said king and Queene together with the comon Seale and allso the dotacions¹³ indowments and evidences concerneing the said schoole and Corporation and possessions of the same shalbe in the keeping of the patron Schoole Master and Wardens of the said schoole for the time being That is to say in a Cheste with foure Locks Locked and the keyes thereof shalbe in the kepeing thone¹⁴ with the patron the seacond with the Schoole Master the third with the eldest gardian the fourth with the youngest gardian and the said Chest to stand in the schoole house of the said school

Item the said Corporation shall not make any Lease of any part or parcell of their possessions for terme of life lives or yeares other then for the terme of one and twenty yeares from the making thereof whereuppon the yearely rent now reserved or more shalbe reserved with exception of all timber and timber trees and every such lease to Containe reasonable covenants for reparations and good manurance¹⁵ of the ground

¹³Endowments.

¹⁴i.e., th'one.

¹⁵Cultivation, perhaps with the implication of using manure.

Item all leases to be made by the said Corporation of any other lands tenements or hereditaments being in the hands of any farmer or farmers by virtue of any old or former lease for yeares shalbe utterly voyd unles the same old or former lease for yeares be within foureteene yeares of expiration of the said yeares by effluction¹⁶ of time att the makeing of the said new lease and be surrendered within one yeare next after the makeing of the said new lease

Item the said Corporacion shall doe there best endeavors for the preservation and advancement of there possessions rents and revenues without working or consenting to any disherison¹⁷ to be had or made to the said Corporacion in any thing

Item that all and every lease or grant to be [made or done by the said Corporacion] of any lands tenements or hereditaments¹⁸ to be voyde unless [the same be m]ade by deede indented and written in partchment and sealed with the common Seale of the said Corporacion and consented and agreed unto by the Schoole Master of the said schoole and both the gardians being together

Item they shall make Courts to be kept when and as often as neede shall require att any of there Mannors and allsoe shall reteine councell or Stewards and make Attornys in any Court when and as often as neede shall require for that time or times onely but they shall not reteine or make for life lives or yeares any Counsell steward Attorney or other officer or grant any rent or fee for the same to any person or persons for life lives or yeares:

Item the Schoole Master for the time being shall take and receive all the rents revenues and proffitts of all the lands tenements and hereditaments of the said Corporation and thereout make all manner of reparacions necessary in and upon all and every the lands tenements hereditaments belonging to the said Corporation or fences thereof and pay unto either of the said

¹⁶Passage of time or completion of specified period of time.

¹⁷Act of depriving or cutting off.

¹⁸Any kind of property that can be inherited.

gardians for the time being six shillings and eight peence apeece yearly att or uppon the feast daye of St Michaell¹⁹ Provided that if the said Schoole Master after admonition warneing or notice to him given by either of the said gardians or by the patron of the said Corporation of want of reparacions in or uppon any of the premisses soe by him to be repayred as aforesaid shall make default in the said reparacions by the space of three monethes after such admonition warneing or notice that then it shall and may be Lawfull to and for either of the said gardians to repayre the same and that the same gardian soe repayreing haveing the consent of his fellow gardian or of the patron for the same shall receive the revenues rents and proffitte of all the lands tenements and hereditaments of the said corporation which shalbe due and payable att any time after the said reparacions until he have received sufficient to repay himselfe soe much as he hath expended for or about the said reparacions which after the rate of three shillings in the pound for every pound which shalbe soe expended over and above his said expences for an incouragement in such his care

Item that noe Timber growing in or uppon any of the said Lands of the said Corporacion shalbe felled or cutt downe for any reparacions but by the consent of the Shoolemaster and both the gardians by wrighting under there common seale and that noe such timber shalbe sold without the consent of the said Schoole Master Wardens and of the patron

Item the Schoole Master shall have for his dwelling place habitation mansion house and portion of the Landes tenementes and hereditaments of the said Corporacion the messuage²⁰ adioyneing to the Schoolehouse which sometime was Mr

¹⁹Feast of St. Michael and All Angels, 29 September.

²⁰A house, considered together with its outbuildings and adjacent land.

Nitingales and all that Cappitall messuage with the Curtalage²¹ and garden thereto belonging called reddcrosse²² with the appurtenances in Southweald and allso one close called the Conygree conteyneing by estimation foure acres adioyneing to the said messuage all which said messuages and premises in this Ordinance specified being aloted to the said Schoole Master for his habitacion and portion the said Schoole Master shall either keepe in his owne possession or else let to fearme to his most gaine soe that the same be not lett for above one yeare and that in possession and that the ancient and accustomed rent be thereuppon reserved and all this said portion of the said Schoole Master for the reparacions and [fences thereof to be ordered as all] the residue of the Lands tenements hereditaments of the said Corporacion accordeing to the former Constitucion in that behalfe made

Item the said Schoole Master shall receive any Schooler that shall be to him offered out of the parish of Southweald or out of any parish within three miles of the said Schoolehouse and him shall teach and instruct in virtue Learneing and manners after the Orders and Constitutions of the said Schoole and that freely without any thing takeing therefore by any way or meanes other then as is aforesaid

Item he shall receive and teach any schooler being of kinne or Cosinage to the said founder or patron of the said schoole or Corporacion freely as is abovesaid being brought unto the said Schoole Master by any person or persons

Item the said Schoole Master shall not refuse or put away any schooler which shall be brought unto him to be taught in the said

²¹Land and structures on property which immediately surround a residence.

²²Lewis' history of the Brentwood School identifies "Redcross" as the name of a house with a yard and garden and a four-acre field (called The Conygree, or rabbit warren). The establishment at Redcross provided the new grammar school with a building for use as a schoolhouse and a house to serve as the school master's residence (Lewis, p. 11).

schoole except with the consent of the gardians or of the patron for the time being and that noe schooler which is of kinne and Cosinage to the said patron shalbe refused or removed out of the said schoole without the consent of the patron for the time being

Item if the schoole shall have soe many schoolers as that it shalbe thought unfitt to have any more in the same then shall the schoolers which are not out of the parish of Southweald or out of the parishes within three miles of the said schoole nor of kinne or Cosonage to the patron be refused or removed that other which shalbe brought to the said schoole out of the said parishes or which are of kinne or Cosinage to the patron may be received

Item these shalbe causes of refusal and expelling any schoolers whatsoever if he be under the age of eight yeares or above the age of eightene yeares Also if the scholer have the great pocks²³ smale pocks falling sicknes²⁴ francy²⁵ Lunacy running sore or such like or any other noysome or infectious desease or sickness uppon him or if he shall come out of any company or ayres knowne or suspected to be infected with the plague the sweet²⁶ small or great pocks or infectious deseases or sicknesses or if he be a drunkard common picker²⁷ a haunter of weomen common dancer or dyceplayer and will not be controuled or reformed with one or two warnings or corrections or if he be a common swearer or lyer or conspirator against the Schoole Master in bodily harme or feare or shall offer him any bodily hurt in word or deed weaknesses of nature or unaptnes of the Capasitie of the schooler and such other which are lefte to the discrecion of the Schoole Master Wardens and patron

Item the Schoole Master by himself or by some other person licenced thereunto every Wedinsdaye and frydaye in the Morneing

²³Syphilis.

²⁴Epilepsy.

²⁵Frenzy, in the sense of "Mental derangement, delirium, or temporary insanity, uncontrollable rage or excitement" (*OED*).

²⁶Probably "sweat," or "sweating sickness."

²⁷Stealer of small things.

att times appointed for divine service²⁸ shall saye or cause to be said divine service usuall for those dayes²⁹ in the Chappell of Brentwood

Item the shcoolemaster³⁰ shall cause his shcollers of the said shcoole to be in the said shcoole uppon shcoole dayes by Seaven of the clocke in the morneinge in the winter tyme and theire to tarrey until eleven of the clocke in the forenoone and then to dynner and to be at the Shcoole againe by one of the clocke in the afternoone and there to tarrey untill five of the clock at nighte and then to super, and in the sumor tyme to begin at sixe of the clock in the morneinge and to Leave at six of the clock at night keepinge the other howres as before from the twentye day of October untill the firste day of Marche shalbe accounted winter tyme and from the first day of Marche untill the twentye day of October shalbe accounted sumer tyme

Item the shcoolemaster shall make monitores to observe the devotion manners behavior conditions and diligence of the shcollers in the church shcoole; and other places and such as shalbe found and presented to be offenders shall the said shcoolmaster correct acordinge to his discretion

Item the shcoolemaster shall not take anie shcoller except he can wrighte and reade written and printed hand before his comeinge theither.

Item the shcollers shall reverence their Patron [shcolle] master and gardiens at all tymes and places with Capp curtesie³¹ and other

²⁸Reference to directions for times of worship in the Book of Common Prayer.

²⁹Divine Service appointed for Wednesdays and Fridays in the Book of Common Prayer includes Morning Prayer, the Great Litany, and Evening Prayer.

³⁰Changes in the spelling of "school" (schoole >shcoole) and other words, the occasional appearance of punctuation, and a change in the style of handwriting at this point in the document suggest a change in scribes.

³¹Presumably removing one's cap when in the presence of the patron, the school master, and the guardians.

civill behaviour and shall [behave] themselves civillie decentlie and curteouselie towards all other persones

Item no shcoller shalbe a border in anie Inn Alehouse or Taverne except the said shcooller be sonne or kinsman to the said Inkeep or taverner and the said Inkeep alehouse keep or taverner doe give the said sonne or kinsman his boord freele

Item no shcoller shalbe permitted to play at [cardes dice or] tables³² or to daunce at anie tyme out of Christmas, and if anie hoste or hostes suffre anie border with him or her to dooe the contrary in there house after warneinge shalbe to him or her given by the shcoole master or anie of the Gardens then the shcoolemaster shall not in ane wise from thence forth teach anie shcoller that shalbe borded with that hoste or hostes so offendinge

Item if any shcoller shall disobey the shcoole master or hurt or slander the patron shcoolemaster or anie of the gardens in bodie name or goods that offence shalbe cause of expulsion of that shcoller from that shcoole for ever

Item the said shcoolemaster and shcollers and there successors for ever shall dayly evrie shcooleday in the shcoolehouse morneinge and eveninge³³ devoutely kneelinge upon there knees³⁴ say together such psalmes of David and other godly praiers as by the election and discretion of the said shcoole maister shalbe thought most meet and convenient wherein amongst other things they shall dayly pray for the church of Christ, for the prosperous estate and preservacion of the prince for the tyme beinge and of the Realme for the Byshopp of the dyoces of London for the tyme beinge for the patron of the said shcoole for the tyme beinge and his posteritie for the towne of Brentwood and parishe of Southweald for there parents frends and all others there benefactores and for

³²Backgammon.

³³Instructions here echo instructions in BCP for daily morning and evening prayer.

³⁴Language here echoes directions in BCP communion rite for posture for confession.

the shcool master and Gardens of the same shcoole. **Item**³⁵ that the common seale of the said corporation shalbe the seale³⁶ which heretofore hath bene used which was ordeined by the said Sir Anthony Browne and Dame Johan his wife in silver **Item** if the said seale shall hereafter be lost stolne broken or worne the like shalbe renewed and made as good again in all respects by the Schoolemaster for the time being out of the proffitts and revenewes of the said schoole and if he shall not performe the same within three monethes then the like order to be observed for the repayinge or renewing thereof as is before appointed in case of the Schoole masters negligence in other reparacons **Item** the said Schoolemaster and gardians shall not have any power to doe or suffer any act to the disherison³⁷ of the said corporation without

³⁵This word marks the beginning of a second change in scribal practice. To this point, the word "Item" beginning each section of the Statutes has appeared at the left margin, with space at the end of the previous line left blank by this practice filled with a line of symbols. This use of the word "Item" appears in the line immediately after the preceeding word ("shcoole"). This change in scribal practice, together with the change in the spelling of the word "school" from "shcoole" to "Schoole" in the next section of the document, suggests a second change in scribe.

³⁶The Silver Seal of Sir Anthony Browne's School was first used in 1558 and was in continuous use by the School until 1871. The Seal survives; see Fig. 6, an image of the seal found on p. 6 of Lewis' *The History of Brentwood School*. Lewis describes the Seal as having on the obverse side "An ornamental shield of arms on which is depicted the Trinity." The reverse side has Anthony I's family crest "impaling those of his wife." Lewis notes that after the reign of Mary the ban on images of the Trinity meant that the Seal of the School was always "applied with the [Browne family] arms uppermost" (Lewis, p. 8).

³⁷Disinheritance. This is a central point for the document, since the charge that put the matter of the grammar school in Brentwood before Chancery Court in 1570 was that Wystan Browne had tried to deprive the school of the support provided for it in Anthony I's will by keeping the money for himself.

the consent of the Bishopp of London and of the patron for the time being

Item³⁸ it shalbe lawfull for the Schoolemaster to take and hyer unto him att his owne costs and Charges an honest sufficient and diligent Usher³⁹ (licenced to teach accordeing to the lawes and Cannons of the realme⁴⁰) to helpe him in his paines of teaching and the same Usher to Change and refuse att his pleasure

<end of sheet one>

<beginning of sheet two>

Item the said Schoolemaster shall not absent himselfe att any one time from teaching in the said schole in his owne person above twelve dayes together neither in the whole yeare above six weekes without licence given him by the patron in wrighting under his hand unles for some urgent and great matter or occasion (a weeke before Christmas and the twelve dayes in Christmas and three dayes after the twelve dayes and five dayes before Ester and Ester weeke five dayes before Whitsontide⁴¹ and Whitsonweeke and the Summer Commencement weekes in Cambridg and Oxford to be accounted for noe part of the six weekes) and if the said Schoolemaster shall doe otherwise then one of the same gardians by the consent of the other gardian or of the patron shall receive all the rents and proffitte of the said schoole which shalbe due after the default untill he have received the somme of tenn pounds and

³⁸Here the document reverts to the previous practice of having each use of the word "Item" to begin a section of the document occur at the left margin of the document.

³⁹Assistant Master.

⁴⁰A survival of medieval social arrangements was that teachers had to be licensed by the Bishop of the diocese before teaching; teacher qualifications were subjects of inquiry during Episcopal visitations.

⁴¹Whitsunday, or "White Sunday," the Feast of Pentecost, called White Sunday because it is a traditional day for baptisms, for which people dressed in white.

soe forward untill the said Schoolemaster doe reforme his said offence by diligent attendance upon his said office in his owne person and that the rents which shalbe soe taken and received by the gardian shalbe paid to him that in his absence shalbe appointed by the patron to teach the schoolers of the said schoole or be reserved for the necessary uses of the said schoole or to be bestowed upon the almeshouses of the patron in Southweald aforesaid

Item neither the said Schoolemaster nor usher shall bord nor have any ordinary lodging out of Brentwood or the parish of Southweald without licence of the patron thereof in wrighting.

Item the said Schoolemaster shall neither be a common gamester or haunter of tavernes nor by any extraordinary or unnecessary expences in apparrell or otherwise become an infamy to the schoole and an evell example to the schoolers

Item that non shalbe taught in this schoole but that first the Schoolemaster be spoaken withall by his or there frends **Item**⁴² that noe schooler that shalbe admitted into this schoole shalbe absent from it upon schooledayes above one moneth in the whole yeare except by the leave and consent of the Schoolemaster first had or by reason of some desease infirmity or sicknes: **Item** the said Schoolemaster shall cause all his schoolers inhabiting or sojourning within the parish of Southweald to be att prayers and att the sermons in the foorenoone every sabboth daye in the parish Church of Southweald⁴³ aforesaid and there to sitt all of them together by themselves in the seats provided there for them and the

⁴²Here the document resumes the practice of not placing the word "Item" on the left margin but continuing the line with the beginning of the next section of the document. Retention of the spelling of "school" as "Schoole," however, suggests this reflects the main scribe's recognition that he has a good bit of material to get onto the second sheet of parchment and is trying to save space, rather than a change in scribe.

⁴³St. Peter's, South Weald. Several of the Brownes, including Anthony I and Anthony III, are buried there.

moniters to take the names of the absents and the misdemeanors of the presents and that those of out parrishes be examined of there diligence at there paryshe Churches and that those which shalbe able shall take nootes of the sermons in wrighteing and deliver them fairely written to the Schoolemaster on the monday morneinge next after, **Item** that upon evrie Sale of anie Woodes which are *silva cedua*⁴⁴ there shalbe reserved to the nombre of foure younge Oake trees, in evrie acre: if there be such there groweing or if not then of other wood most meet to be leafte for Stadles⁴⁵ uppon evrie felling of the said wood, over and beside the ancient stadles before lefte in the said Wood. **Item** none of the foure principall trees which shall at anie felling of the said Woode be lefte groweing for stadles, shalbe Felled or cutt untill they be Sixtey Yeares growthe or upward and then acordinge to the former constitutions provided for the felling of Tymber. **Item** that the shcoolemaster⁴⁶ discharginge all duties wherewith he is charged shall reteyne in his owne hands to his owne use for his paynes in teacheinge and otherwise all the rents Proffitts and Comodities which shalbe made of the Lands tenements and hereditaments of the said Corporation other then such as by these constitutions are otherwise limited and apointed

And Furthermore [whereas also] the said Sir Anthony Browne and Dame Joane his wife by the names of Anthony Browne of Southweald in the County of Essex one of the Justices of the

⁴⁴*silva caedua* = "woods fit for cutting."

⁴⁵"Staddle," a young tree to be left standing when others are cut down, to provide a foundation for regrowth of the forest. The practice referred to here is called coppicing or copping, cutting wood regularly but also allowing young trees to stand to encourage regrowth for further cutting.

⁴⁶Change in spelling of "school" to "shcoole" suggests yet another change in scribe.

bench⁴⁷ and Johan his wife did in theire life tyme by there deed trypartyte⁴⁸ Indented dated the second day of Februarie in the fift yere of the reigne⁴⁹ of our Sovereigne Ladie Quene Elizabeth covenant and grawnt to and with the shcoolemaster and Wardens of the [said shcoole the said shcoolemaster and Wardens] with them and either of them with other divers and sundrey covenants graunts artickles sentences and agreamentes for and concerninge the provision for some continuall releife of and for five poor folks to serve God in Southweald aforesaid for ever to indure whereof three to be men and two to be women which said deed beinge never executed accordingly standeth and is voyde [in lawe] to the great hinderance of the said charitable Act godlye purposed and intended by the said Sir Anthony and Johan, wee the said George Anthony and John mindeinge to helpe the imperfection of the said deed as much as in us is, have selected and gathered out of the said deed the cheife and effectuall covenants theireof and have set downe the same Articles hereafter followeing and doe by these presente by force and authoritye of the said decree constitute name and appoint the same and evrie of them to be kept and observed invyolably for ever by the said shcoolemaster Gardeins and poore people accordinge to the tenor purpose and true meaneinge of the same **Imprimis** we doe constitute that there shalbe apointed five poore folkes to serve god in Southweald in the county of Essex for ever to indure whereof three to be men and two to be women. **Item** the said five poore folkes shall have the three messuages with

⁴⁷The Brentwood School transcript identifies this as a reference to Anthony I's service on the Common Bench, i.e., Court of Common Pleas.

⁴⁸Either the original deed prepared by Anthony I had three sections or it was understood to be an agreement among three parties and was thus produced in three copies to be given to three different people for safekeeping. The latter meaning is probable since reference is made to three parties affected by it—the school master and the two wardens of the school.

⁴⁹1563.

the Curtelages Orchyards and gardins therto belonginge nere to the churchgate in Southweald aforesaid now devided into five sevrall Tenements and so graunted to the said shcoolemaster and gardens thereof to make five places for the said five poore folkes to dwell in. **Item** that there shalbe in evrie of the said places or five sevrall Temenents as they are now devided for ever successively one poore person from tyme to tyme and from age to age in succession for ever to be preferred or collated thereunto as hereafter doth insue in a place of a man a man and in the place of a woman a woman, **Item** the said five poore folkes shalbe allwaies chosen of the Inhabitants of Southweald Brentwood or Brookestrete and not else where except therebe no such poore folkes there inhabytinge and then out of Whight Rooding⁵⁰ and not elsewhere unlesse therebe noe such poore folkes in the said parishes to supply the roomes that shalbe voide. **Item** that evrie of the said poore folks that shalbe collated and preferred to any of the said places shalbe a sole person at the tyme of his or her collation or placeinge into any of the said places and the same person so collated shall have use and inioye the same place to that person appointed or preferred with all emoluments proffitts and comodyties thei[r]to belonginge to his or her owne use dureinge his or her life acordinge to the ordinances herein expressed. **Item** that the poore person to be collated and appointed or preferred to anie of the said places or tenements When and as often as anie of them shalbe voide shalbe nominated collated appointed or preferred to the same by the tennant or tennants of the Francketenement⁵¹ of the cheife mansion house of the Manner of Southweald in Southweald aforesaid commonly called Wealdhall⁵² or late parcel of the Possessions of the said Anthony and Johan and the tenant or

⁵⁰South Weald, Brentwood, Brook Street, and White Roding are all towns in Essex located south of Chelmsford.

⁵¹Freehold.

⁵²The ancestral home of the Browne family, destroyed after World War II.

tennants of the Francketenement aforesaid only shall have the patronage Disposicion and guifte and be the patrons and visitors of the said five places when and as often as they or anie of them shalbe voide for ever hereafter, **Item** that the said shchoolemaster⁵³ of the said Free shchoole and his successores for ever shall yerely give and deliver to [evrie of the] said poore folkes (over and [beside theire] severall places to evrie of them to be appointed for their habitacions) freely one robe or garment redie made of the price of ten shillings or more betwene the feasts of St Michaell tharckannge⁵⁴ and all Saints⁵⁵ yerely for ever And forty shillings a peice yearely and everie yere for ever for his her and their stypend or stypendes to be paid at foure tearmes of the yere by even portons: the twentieth day of December the twentieth day of Marche the twentieth day of June and the twentieth day of Septembre **Item** that the said Schoolemaster⁵⁶ and his successors for the tyme being shall for ever yerely beare sustaine and make all manner of reparacons for the said five sevrall places and habitations aswell in the houses as in the pales hedges and ditches and also shall provide for evrie of the said poore [folks] in their sevrall places and habitations Lockes Keies and Bedstedes which beinge provided shall remayne in succession to the person and place appointed and there successores in there place for ever and if the said Schoolemaster shall after admonicon and notice to him given by one of the Gardeins or by the patron be negligent in makeinge the said reparacons and supplying the other said househould stuffe by the space of two monthes then one of the Gardens with the consent of thother Gardein or of the patron shall doe the same and shall receive all the rents yssues and proffittes of the parsonage of

⁵³Change in spelling of "school" to "shchoole" suggests another change in scribe.

⁵⁴St. Michael the Archangel, 29 September.

⁵⁵All Saints' Day, 1 November.

⁵⁶Another change in the spelling of "school" (> "schoole") suggests another change in scribe.

Daggenham⁵⁷ which shalbe due and payeable at any tyme after the said reparations until he have received sufficient to repay himself soe much as he hath expended for or about the said reparations or other supplementes which after the rate of three shillings in the pound for every pound which shalbe so expended over and above his said expences for his paynes and care taken therein **Item** that when any of the said five poore folkes shall dye the residue of the said five poore folkes then liveinge shall be present in there said robes at the buryall of the other so dead if they be able and have no reasonable excuse of absence, **Item** that every of the said fyve poore people beinge able and not haveinge a reasonable excuse of absence shalbe present at the common or usuall prayers or service in the church of Southweald evrie sabbboth day and hollydaye and there evens and on wedsendayes and frydaies⁵⁸ as often as there shalbe any said in the said church uppon paine of forfeitinge foure pence of there allowance for evrie tyme of there absence **Item** that the said schoolemaster shall give to the residue of the said five poore folks then liveinge and present at the buriall two pence a peece **Item** evrie of the said five poore folks shalbe present in there robes at the buriall of all and evrie tennant or tenants of the francketenement of the said mansion house called Wealdhall if he or they shalbe buried in the parishe of Southweald **Item** if any of the said five poore folkes shall grant there interest of there place or any parte thereof or shalbe absent from there place one weeke together or fourteene dayes in the yeare att severall times without licence of the patron for the time being (except it be in case of sicknes or by reason of some inevitable occasion) or if any of them shalbe an advouterer⁵⁹ or baud common drunkard common and

⁵⁷Dagenham, a town 10 miles southwest of Brentwood. The historic parish church is the Church of St. Peter and Paul.

⁵⁸According to the Book of Common Prayer, services on Wednesdays and Fridays were distinctive because the Great Litany was added to the service of Morning Prayer.

⁵⁹Adulterer.

open slanderer or scould or if any of them shall commit treason murder or felony or be occasion⁶⁰ to any of them or if any of them shalbe an heritique or sismitique whereof he shalbe convict or condemned or a continuall franticke⁶¹ or shalbe a common picker⁶² or shall willfully or voluntarily waste or spolye there place of habitation or the place of habitation of anie of theire fellowes or the pales hedges or implementes to them or any of them appointed or belonging or if any of them shalbe married [all these shalbe] peremptory causes of removeall of the party offendinge from his place and habitation without any warneinge or admonition to him before given and the same to [be] adiudged only by the patron for the tyme beinge and by no other **Item** if any of the said five poore folkes shall not observe the said Orders and rules before appointed or hereafter to be appointed or be a hedg breaker pale or wood stealer a harborer of any other person a haunter of the Alehouse or a common tale teller or shall pawne or pledge hys robe or any of the implementes of the place to him or her appointed or shall keep hogges swine or pigges the [person] offendinge in these or any of these offences after the admonition to be given hym by the patron Schoolemaster or any of the Gardians shalbe removed from his place by the Judgment of the pat[ron for the] tyme beinge. **Item** it shall not be lawfull for any of the said poore folks to keep any body to dwell with any of them in the house except a boye under the age of thirteen yeares or a girle [under the] age of twelve yeres without the licence of the patron **Item** that everie of the said five poore folkes shall keep the other of them in tyme of sicknes as they shalbe able to endure from tyme to tyme upon request of the person that shalbe sicke or by appointment of the patron for the tyme beinge of the said places **Item** if any graunte or promise

⁶⁰To be the cause of or to contribute to any of the previously mentioned crimes.

⁶¹Affected with mental disease, lunatic, insane; in later use, violently or ragingly mad (*OED*).

⁶²Stealer of small things.

shalbe had or made to any person or persons of the said places before the same shalbe fully void such graunt and promise shalbe allwayes voide and of none effect and the person or persons to whom any such grant or promise shalbe made of anie place before it be voyd shalbe disabled for ever to have or inioie any of the said five places **Item** if the patron for the tyme beinge shall not conferr to any of the said five places according to these constitutions within twenty eight dayes after the same place shalbe empty and void that then it shall be Lawfull for the Schoolemaster of the said free schoole for that one onely time and turne to conferre such a poore person as aforesaid to the same place soe being voyde within eight and twenty dayes next insueing and if the said Scholemaster shall not confere such a poore person within the eight and twenty dayes to him limitted then it shall be lawfull for the gardians of the said free schoole for that one only time to conferre such a poore person within eight and twenty dayes next after the Scholemasters time expired to the place soe voyde as aforesaid and the person soe by the Scholemaster or gardians conferred shalbe in the same and as good [plight] as if they had bene conferred by the patron himselfe **In Witnes Whereof** Wee have here unto set our hands and Seales the Eighteenth daye of July in the Yeare of the Raigne [of our moste gracious] sovereigne Lord James by the Grace of God of England France and Ireland King defender of the faith etc the Twentieth and of Scotland the Fyve and fyftieth Anno domini 1622

<signed at the bottom, with seals attached>

GEO: LONDON J DONNE ANTHONY BROWNE