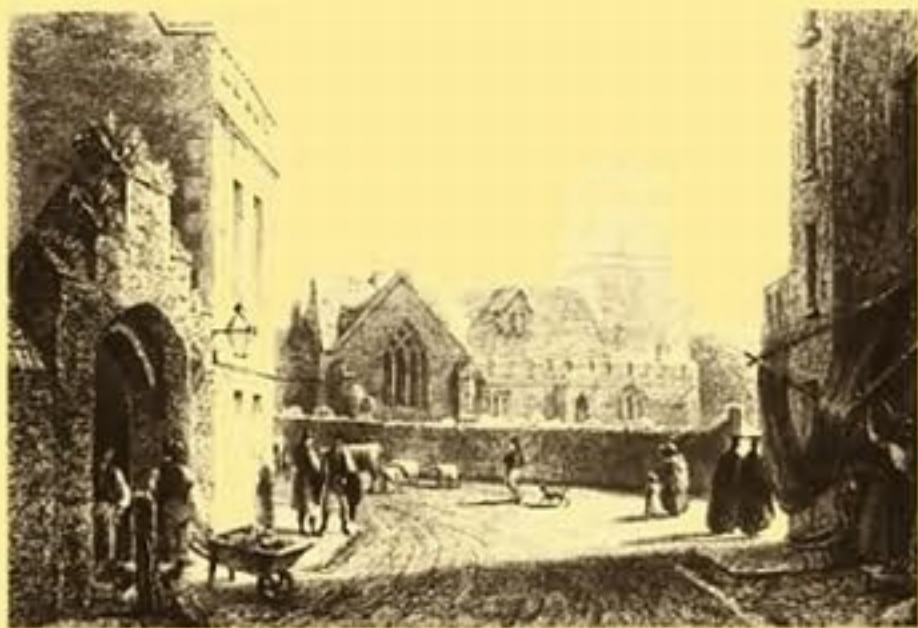


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# Early Victorian Cambridge

DENYS ARTHUR WINSTANLEY



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Cambridge New York Melbourne Madrid Cape Town Singapore São Paulo Delhi

Published in the United States of America by Cambridge University Press, New York

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781108002288](http://www.cambridge.org/9781108002288)

© in this compilation Cambridge University Press 2009

This edition first published 1940

This digitally printed version 2009

ISBN 978-1-108-00228-8

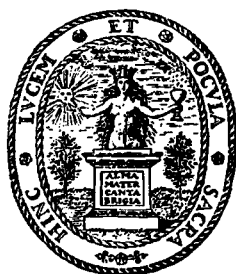
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EARLY VICTORIAN  
CAMBRIDGE



# EARLY VICTORIAN CAMBRIDGE

By  
D. A. WINSTANLEY



CAMBRIDGE  
AT THE UNIVERSITY PRESS

1955



PUBLISHED BY  
THE SYNDICS OF THE CAMBRIDGE UNIVERSITY PRESS

London Office: Bentley House, N.W.1  
American Branch: New York

Agents for Canada, India, and Pakistan: Macmillan

*First Edition 1940*  
*Reprinted 1955*

*First printed in Great Britain at the University Press, Cambridge*  
*Reprinted by offset-litho by*  
*Percy Lund Humphries and Co. Ltd., Bradford*

# CONTENTS

*Preface*

*page xi*

## *Chapter I. THE FOUNDATION OF DOWNING COLLEGE*

Possible consequences of the foundation of Downing. Sir George Downing's will. Legal proceedings. The royal charter. The Downing Professorships. The Statutes. Downing's ill fortunes. *pages 1-7*

## *Chapter II. A COLLEGE ELECTION*

Death of William Elliston. Difficulty of finding a suitable Master. The appeal to former Fellows. The appearance of Wollaston as a candidate. The disregard of the Trinity claim. George Butler's change of plan. The election of Wollaston. The appeal to the Visitor. The Visitor's judgment. The election of a new Master. *pages 8-17*

## *Chapter III. UNDERGRADUATES IN BONDS*

The evangelical party at Cambridge. The British and Foreign Bible Society. Proposal to found an auxiliary branch at Cambridge. Undergraduates discouraged from undertaking the enterprise. Their submission. Church opposition. The foundation of an auxiliary branch. James Wood as Vice-Chancellor suppresses the Union Society. His unconciliatory attitude. Distinguished character of the Society. Christopher Wordsworth allows the Society to reassemble. *pages 18-28*

## *Chapter IV. THE ATTACK ON HEADS OF HOUSES*

The powers of the Heads under the Elizabethan statutes. The success of E. D. Clarke as Professor of Mineralogy. The question of continuing the professorship after his death. J. S. Henslow as a candidate for it. The Grace of 15 May 1822 and the claim of the Heads to nominate the candidates for the professorship. Opposition to the claim in the University. Attempts to maintain peace. The election of Henslow. The legal proceedings. The controversy between Sedgwick and Dr French. Henslow appointed Professor of Botany. The Determination of Sir John Richardson. The Statutes Revision

Syndicate's recommendation for a Council of the Senate approved by the Royal Commissioners. The recommendation incorporated in the 1855 Bill for Statutory Commission. Objections of the ex-Royal Commissioners to the Bill. The amendments of the Bill fail to satisfy them. Agitation in the University. The Bill withdrawn. Controversy between Whewell and Sedgwick. *pages 29-57*

### *Chapter V. CHRISTOPHER WORDSWORTH*

Appointment of Wordsworth as Master of Trinity. Disapproves of University lodging-houses. Urges the college to build a new court. His difficulties with the Seniority. The laying of the foundation stone of the King's Court. Wordsworth's attempt to establish an Honours examination in classics and theology frustrated. Establishment of the Previous Examination. Reforms in the ordinary degree examination. The institution of the Classical Tripos. Wordsworth's unpopularity in the college. His treatment of Connop Thirlwall. The agitation among the Fellows. Wordsworth's resignation of the mastership. The appointment of Whewell as his successor.

*pages 58-82*

### *Chapter VI. THE RELIGIOUS TESTS*

The Anglican monopoly of the University. The Dissenters petition against the Tests. Beverley's letter to the Duke of Gloucester. The Senate and the Tests. The appeal to Parliament. Debates in Parliament. Opinion in the University. G. W. Wood's Bill rejected by House of Lords. Lord Radnor's Bill for a University Commission. Sedgwick's change of mind about a Commission. *pages 83-96*

### *Chapter VII. CHANCELLORS AND HIGH STEWARDS*

The interest of the University in national affairs. Chancellors and High Stewards chosen for their political opinions and importance. The Cambridge Whigs persuade Lord Lyttelton to stand for High Stewardship. His defects as a candidate. Lord Lyndhurst also stands. The excitement caused by the contest. Victory of Lord Lyndhurst. Prince Albert and the offer of the Chancellorship. His conditional acceptance. Lord Powis agrees to stand. Prince Albert's attitude misunderstood by his supporters in the University. The misconception corrected. The canvass. The election of the Prince. His installation at Buckingham Palace. *pages 97-121*

*Chapter VIII. TOWN AND GOWN*

The memorial of grievances against the University presented by the Town to the Royal Commissioners. The oaths of the Mayor and Bailiffs. The Magna Congregatio. Ale-house and wine licences. Interference with the trade of the Town. Prohibition of theatrical and other entertainments. The supervision of weights and measures. The proclamation of the markets and the fairs. The Court of the Chancellor. The apportionment of the land tax and local rates. The reply of the University to the Town memorial. The recommendations of the Royal Commissioners. Negotiations between University and Town. The failure of the negotiations. Sir John Patteson's award. The award incorporated in Act of Parliament. *pages 122-138*

*Chapter IX. TROUBLE AT THE FITZWILLIAM*

Whewell's dictatorial temperament. Becomes Vice-Chancellor in November 1855. Rehanges the pictures in the Fitzwilliam Museum. The Master of Downing protests on discovering what he has done. Whewell refuses to admit to wrong-doing. Various members of the syndicate resign. Difficulty in replacing them. Dr Geldart's letter. The new Fitzwilliam Syndicate. *pages 139-147*

*Chapter X. INTERNAL REFORM*

Criticism of the Universities. Its justification. The degree courses improved. Establishment of the Voluntary Theological Examination. Resumption of lecturing by Professors. Attendance at professorial lectures. The weaknesses of the professorial system. Need of more museums and lecture-rooms. Lord Radnor and the Universities. Minor reforms in college statutes. The revision of the statutes of Trinity College (1844). The committee for revising the University statutes. Prince Albert and reform. Honours examinations in natural and moral sciences. Appointment of the Statutes Revision Syndicate. Modification of Classical Tripos regulations. Failure to provide a University entrance examination. The appointment of a Royal Commission. The opposition in the University to a Commission. The intervention of Prince Albert. *pages 148-233*

*Chapter XI. THE ROYAL COMMISSION*

The reception of the Commissioners by the University. King's College surrenders the privilege of its Scholars. Meetings of the Statutes Revision

Syndicate. Its failure to agree about the Caput. Publication of its first report. The reforms recommended in the report. Defects in the report. Issue of a second report, recommending the institution of a Council of the Senate. The submission of the reports to the Senate delayed. The publication of the report of the Commissioners. The reforms recommended. The University and the report. The issue of a third report by the Statutes Revision Syndicate. Studies Syndicate and the Lecture-rooms and Museums Syndicate appointed.

*pages 234-269*

### *Chapter XII. BETWEEN THE TWO COMMISSIONS*

The reports of the Statutes Revision Syndicate voted on in the Senate. Lord John Russell threatens the Universities (April 1853). The report of the Lecture-rooms and Museums Syndicate. Lord Palmerston's letter to Prince Albert (December 1853). The reply of the University and colleges to the letter. Reports of the Studies Syndicate. The reports in the Senate. The 1855 Bill for a Statutory Commission. The Bill withdrawn. The 1856 Bill for a Statutory Commission.

*pages 270-288*

### *Chapter XIII. STATUTE XLI AND THE THREE REGIUS PROFESSORSHIPS*

Foundation of the Regius Professorships of Divinity, Hebrew and Greek. Statute XLI of the Marian draft statutes and the Elizabethan statutes of Trinity College. The lacuna in Statute XLI. The rectory of Somersham annexed to Divinity Professorship. Modification of Statute XLI by Charles II's letter. The election of Dr Kaye to Divinity Professorship (1816). Legal opinions on Dr Kaye's eligibility. Dispute concerning Monk's retention of Greek Professorship after proceeding to D.D. degree. Legal opinions. The eligibility of Christopher Wordsworth for the Divinity Professorship (1827). Legal opinions on the question whether an elector can be a candidate. Legal opinions on the question whether Statute XLI is a University or college statute. The effect of the revision of Trinity College statutes (1844) on Statute XLI. The election of W. H. Thompson to Regius Professorship of Greek. Edleston appeals to the Visitor to deprive Thompson of his fellowship. The Visitor's judgment. Thompson becomes a titular fellow. The 1856 Bill for Statutory Commission and the three Regius Professorships.

*pages 289-313*

### *Chapter XIV. THE STATUTORY COMMISSION AND THE UNIVERSITY*

The disappearance of the Caput. The election of the first Council of the Senate. The Statutes of the University revised by Council. The Council, the Commissioners and the Senate. Revision of University Trusts and Endowments. Trinity College and the draft statute for the three Regius Professorships. The Commissioners deal with the Council alone. The conciliatory attitude of the Commissioners. Some features of the new statutes.

*pages 314–338*

### *Chapter XV. THE STATUTORY COMMISSIONERS AND TRINITY COLLEGE*

The colleges and the Commissioners. Trinity College and the Commissioners. The Westminster Scholars and the three Regius Professorships. The Governing Body appoints a committee to report on statute revision. The report of the committee. Discussions in the Governing Body during Michaelmas term, 1857. Failure of the reform party in Governing Body. The revised draft statutes sent to the Commissioners. Their consideration postponed by the Commissioners. Anger in Trinity. Draft statutes sent by the Commissioners (May 1858). Hostile reception of them. The meeting of the Governing Bodies. Meeting between a Trinity deputation and the Commissioners. The letter of the twenty-two Fellows to the Commissioners. Revised draft statutes sent by the Commissioners (February 1859). Discussed by Governing Body. The revised draft sent under seal (April 1859). Protests of the college against some of the statutes. The final settlement.

*pages 339–372*

### *Chapter XVI. CAMBRIDGE AS IT WAS*

The duties of a Vice-Chancellor. Dealings of Proctors with colleges and undergraduates. The Proctors and Dr Bateson. The case of *Kempe v. Latimer Neville*. The Registry and the Registrar. The rivalry between Trinity and St John's. The smaller colleges. Dinner in Hall. Compulsory attendance at chapel. The Society for the Prevention of Cruelty to Undergraduates. Sermons in chapel. University sermons. The Family dining club. The installation of Lord Camden as Chancellor. Life and manners of the Fellows. Smoking in the Trinity Combination Rooms. College Tutors. Private

tutors. Noblemen, Fellow Commoners, Pensioners and Sizars. Ignorance of undergraduates. Disorderly behaviour of undergraduates. The Parliamentary election of February 1856. Undergraduate freedom restricted.

*pages* 373–423

*Appendices*

- |   |         |
|---|---------|
| A. Fellowships of Trinity College               | 424–428 |
| B. The Trinity Seniority                        | 429–433 |
| C. Sir Isaac Newton's rooms                     | 434–435 |
| D. The statue of Isaac Barrow in Trinity Chapel | 436–439 |

*Index* 441–460

## P R E F A C E

I have attempted in the following pages to give an account of the University of Cambridge during the first sixty years of the nineteenth century, when it underwent reform both from within and without; and though there are objections to the episodic treatment I have adopted, it seemed better suited to the subject than the more orthodox chronological method, which would either have necessitated wearisome repetition or imposed an intolerable strain on the memory of the reader. Nevertheless, I may be thought to have taxed the memory and, what is worse, the patience of the reader by describing in such detail the many changes made in the curriculum and educational system of the University; but, as many of these changes had consequences reaching to the Cambridge of our own day, they could hardly be dismissed in a cursory fashion.

I have been permitted to use the papers of the Prince Consort in the Royal archives at Windsor, and beg leave to record my humble thanks to His Majesty the King for this privilege. The Prince was Chancellor of the University during a very critical period of its history; and his correspondence with Vice-Chancellors and Heads of Houses reveals his interest in the affairs of Cambridge and the wisdom of the advice he gave. I also wish to express my gratitude to Mr Geoffrey Lloyd, M.P., the Secretary for Mines, who, when he was Parliamentary Under-Secretary for Home Affairs, most kindly placed at my disposal the Letter Books of the Statutory Commissioners and other Home Office papers, and by this assistance very much lightened my task. I am also indebted to Mr Wilfred Bowring, who kindly allowed me to see a diary kept by F. H. Bowring, who was elected to a fellowship of Trinity in 1844.

Use has also been made of the collection of University Papers in the University Library and, by the kindness of the Misses Allen, of the diary of Joseph Romilly, which is also in the University Library. The collection of University Papers has only recently been catalogued, and without the skilled assistance of Mr Filby I should not have been able to thread my way through what was until lately a chaotic mass of material. Romilly's diary was used to a certain extent by the late Mr J. W. Clark for the life of Adam Sedgwick, which he wrote in



collaboration with the late Professor Hughes, but, as is evident from my frequent references to it, I do not share Mr Clark's opinion that the "diary has a personal, rather than a public interest", as Romilly "does not say much about what was going on in the University". The Whewell Papers in Trinity College Library are also very valuable. Mrs Stair Douglas only very partially used them when writing Whewell's life, rightly leaving aside much which was without biographical interest, though of great importance in connection with the history of the University. I am also much indebted to the Council of my College for having granted me access to the Whewell Papers and the College muniments; and to the Council of the Senate for permission to use the documents in the Registry, particularly the Council minutes.

There is certainly no lack of material for a history of the University in the nineteenth century, and the many defects of this volume are due to the workman and not to his tools.

D. A. W.

*February 1940*

## Chapter I

### THE FOUNDATION OF DOWNING COLLEGE

ON 22 September 1800 a royal charter for the incorporation of a new college at Cambridge, to be styled Downing College, passed the Great Seal, and as several of the colleges had far fewer undergraduates than they could easily accommodate, this addition to an overstocked market was probably considered by some persons as particularly inopportune. Yet however unwelcome the foundation of Downing was to such colleges as were ruefully examining their lists of annual admissions, there was a hope that it might mark a turning point in the history of the University. The youngest of the existing colleges had been founded more than two hundred years before, and all of them were living under statutes which belonged to a by-gone age and precluded them from meeting the needs and requirements of a changed world, even if they had desired to do so. The wish, indeed, was not there, but it might very well arise if they found themselves unsuccessfully competing with a rival institution which owed its prosperity to its more enlightened statutes. Thus the foundation of Downing gave an opportunity of pointing the way to reform, and, if the venture had prospered, that steep and stony road might have been taken. But as during many years Downing completely failed to justify its existence, and was the most despised and least frequented of all the colleges, it unfortunately seemed to point the moral that reform was dangerous if not fatal; and as speculation about what might have happened is not encouraged by the Muse of History, who of late years has become very sensitive to the accusation of frivolity, its failure has generally been taken to require no explanation. This is unfair to those who framed its constitution, which, but for a series of accidents and errors, might possibly have been a beacon light in the University.

The troubles of Downing began, like those of Tristram Shandy, before birth. Sir George Downing, by a will dated 20 December 1717, bequeathed his estates in Cambridgeshire, Bedfordshire and Suffolk to trustees in trust for his cousin, Jacob Downing, and his issue, with remainder to certain other kinsmen and their issue; and, in the event of the failure of such issue, the trustees were directed to establish a college

in Cambridge to be called Downing's College,<sup>1</sup> and to apply to the Crown for a charter of incorporation. Sir George died in 1749, having survived all his trustees, and his property passed to his cousin, Jacob, who succeeded him in the baronetcy. Sir Jacob died without issue in 1764, and as all the parties entitled in remainder had previously died without issue, the University, for the purpose of establishing its rights under the will, took proceedings in the Court of Chancery against Sir Jacob's widow, Sir George's heirs at law, and others. In 1769 the Lord Chancellor gave judgment in favour of the University, ruling that the will had been well proved, and that, if the Crown granted a charter, the trusts for the foundation of a college could be executed; but, in consequence of the deaths of some of the parties to the suit, several informations of revivor and supplement were filed, and the case dragged on until March 1800 when the Lord Chancellor pronounced a final decree in favour of the foundation of the college. In the following June the Privy Council advised the Crown to issue a charter of incorporation which passed the Great Seal three months later.<sup>2</sup> In 1805 the college received statutes which, in accordance with a provision of the charter, were framed by Sir George Downing's heirs at law, and approved by the Archbishops of Canterbury and York and the Masters of St John's and Clare.<sup>3</sup>

The charter prescribed that the college should consist of a Master, two Professors, one of medicine and the other of the laws of England, sixteen Fellows, and of such number of Scholars as the statutes should ordain; and nominated the first Master, the first two Professors and three of the sixteen Fellows. It, however, provided that future Masters should be appointed by the two Archbishops and the Masters of St John's and Clare, and that the same electing body, with the Master of Downing added to it, should appoint all future Professors. The charter further stated that the Crown proposed to appoint the other thirteen Fellows when suitable college buildings had been erected, but that subsequently the Fellows should be elected by the Master, the two Professors and such Fellows of the college as were Masters of Arts. As it was necessary to make provision for the instruction of undergraduates

<sup>1</sup> In the royal charter the name, probably inadvertently, was changed to Downing College.

<sup>2</sup> C. H. Cooper, *Annals*, vol. iv, pp. 267, 268, 467, note 3; Willis and Clark, *Architectural History of the University of Cambridge*, vol. II, pp. 765-766. There is a tradition that the younger Pitt had a hand in drafting the charter.

<sup>3</sup> Sir George Downing's will so directed.

and the discharge of other college duties, two of the sixteen fellowships, unless certain disqualifications were contracted, were to be tenable for life if their holders resided and took Holy Orders within six months of their election; but the other fourteen, to which no obligation of residence was attached, were to be tenable for only twelve years, and, moreover, to be reserved for laymen who intended to pursue the professions of law or medicine.

Several of these provisions had a very practical bearing. The encouragement, for instance, given to medical and legal studies in the University was dictated by an urgent need. The medical school was generally admitted to be in a very languishing condition, and, indeed, the decline in its fortunes was painfully obvious. There was a Regius Professorship of Physic, which had been established in the sixteenth century; but it was a hundred years or more since an occupant of the chair had delivered lectures. Some of the colleges had fellowships appropriated to medicine, but this restriction was by no means always observed. The subject was little, if at all, taught in any of the colleges, and at Caius, which had for centuries enjoyed a medical reputation, no trace of any systematic instruction in medicine can be discovered until about the middle of the nineteenth century.<sup>1</sup> It is therefore not surprising that the candidates for medical degrees were few, for there was very little to attract them. The law school, though in better repute, was not in a satisfactory condition. It is true that the Regius Professors of Civil Law regularly delivered lectures at which attendance was compulsory, and included in their courses a certain amount of English law;<sup>2</sup> but it was mainly civil law that was taught and studied, and consequently undergraduates reading for a law degree had little opportunity of acquiring a knowledge of the legal system of their own country. They were possibly unconscious of their loss, as most of them were extremely idle. The law school was generally recognised to be a refuge for those who were averse to intellectual effort.

The establishment of a Professorship of the Laws of England had therefore a very definite purpose, and there was at least a hope that the Downing Professor of Medicine would supply a want which the Regius

<sup>1</sup> J. Venn, *Biographical History of Gonville and Caius College* (1901), vol. III, p. 253.

<sup>2</sup> In 1775 Philip Yorke, then a Fellow Commoner of Queens', attended the lectures of the Regius Professor of Civil Law, and he informed his uncle, the second Lord Hardwicke, that the latter part of the course "has had a great deal of English law in it, particularly when he [the Professor] compared the usage of the civil law courts with those of the common law". Add. MS. 35377, f. 181.

Professor of Physic showed no inclination to meet. It might also be reasonably anticipated that the fourteen fellowships assigned to law and medicine would stimulate the pursuit of those studies in the University. But the limitation of the tenure of those fellowships to a period of twelve years was a far more revolutionary step. The foundation fellowships of the other sixteen colleges were tenable for life, though generally on the condition of taking Holy Orders after a certain number of years, and as they were free from any obligations of service, many of the Fellows led very idle and unprofitable lives. They were deserving of pity as well as of censure. The ability, which had enabled them to gain a good degree and win a fellowship, was not always accompanied by a genuine interest in learning, and therefore many of them, if not lucky enough to be appointed to a college office, found time heavy on their hands and passed unhappy lives. Yet as mankind is ever reluctant to relinquish a privilege, even when it brings misery, it was until late in the nineteenth century an almost undisputed article of belief that a college could not possibly promote learning and research if its fellowships were not tenable for life; and therefore the restriction of all but two of the Downing fellowships to a term of years must have seemed to many not so much a leap in the dark as a leap into the abyss. It was, however, a leap well worth making, and it is significant that the lay Fellows were not to enjoy even a twelve years tenure unless they obtained certain professional qualifications. The charter prescribed that the "lay fellowships shall be held only for the term of twelve years respectively, and shall within that time be vacated by those who are in the law line by their not being called to the bar within eight years after their elections, and by those who are in the medical line by their not taking the degree of Doctor of Physic within two years after they are of sufficient standing".

The regulations contained in the statutes for the award of the fellowships and scholarships also indicate an intention to improve upon existing practice. Anyone who had been admitted at an Oxford or Cambridge college, and had not been in residence for more than a year and a half, could compete for a scholarship,<sup>1</sup> and the electors were forbidden to give any "preference whatsoever...to the candidates in respect of the colleges to which they belong, the counties in which they were born, or the schools in which they had been educated". Moreover, any graduate of Oxford or Cambridge, without regard to his "place of birth or education", could compete for a lay fellowship; and anyone

<sup>1</sup> King's was the only college which awarded its scholarships before residence.

who had graduated as a Bachelor of Arts at either University was eligible as a candidate for a clerical fellowship. Moreover, both fellowships and scholarships were to be awarded upon an examination, which for scholarships was to be in "the Greek and Latin languages, and such other learning as the examiners shall think proper", and for fellowships in "all subjects of academical learning, without preference to any branch of science and literature above others, studied in the University at the time".

It has sometimes been urged that it was unwise to discourage clever boys from entering Downing by not allowing them to acquire thereby any advantage in competing for its emoluments; and the criticism is just. But few would nowadays question the expediency of abolishing those local preferences which were then so common. Several of the colleges had scholarships, and some had fellowships, appropriated to certain schools or districts, and inevitably these closed emoluments were not infrequently awarded to candidates who would never have gained them in open competition. It was again extremely desirable that fellowships as well as scholarships should be awarded upon an examination. Though all the colleges held scholarship examinations, fellowships were very commonly awarded upon academic record; and as most of the candidates for them were Bachelors of Arts who had distinguished themselves in the Senate House Examination, they were commonly given for proficiency in mathematics. And as mathematics also had a very important place in many of the scholarship examinations, Cambridge was justly open to the reproach of having taken only one branch of learning as its province. The Downing examinations were clearly designed as a protest against a mathematical monopoly.

It is also of some interest that a page of what was then recent academic history was enshrined in that provision of the statutes which disqualified fellowship and scholarship electors from voting at an election if they had not "been present at, and taken part in, the examination" which preceded it. This provision was the direct outcome of a famous controversy in Trinity, which was one of the few colleges that elected its Fellows upon an examination. During the latter part of the eighteenth century it had not been at all uncommon for a Trinity fellowship elector to vote at an election without having taken any part in the examination; and when in 1786 ten Fellows of the college protested against this gross abuse of trust, they were treated as criminals and solemnly admonished for irreverence and disrespect by the Master and

Seniors, who constituted the Governing Body of the college. Infuriated by treatment so flagrantly unfair, they appealed to the Lord Chancellor as the Visitor; and, although he did not wholly disculpate them from the charge of lack of respect to the Master and Seniors, he censured the abuse, of which they had complained, in terms so strong as to insure its cessation. The statutes of Downing echoed their triumph.

Yet statutes and regulations, however carefully devised, must in time become antiquated and impediments to progress, and consequently a simple and effective machinery for revising them is indispensable. This necessity had frequently been overlooked in the past; and the ease with which the constitution of Downing could be changed would certainly have greatly shocked earlier academic law-givers. The two Archbishops and the Masters of St John's and Clare were authorised by the charter to "revoke, repeal, augment, alter or make new, all, every or any of the said statutes", if requested to do so by the Master, the two Professors, and five of the senior Fellows; and their discretion was only limited by the provision that the statutes must always conform with the terms of Sir George Downing's will and the charter. As Sir George, unlike many other eighteenth-century benefactors of the University, had not burdened his bequest with many detailed instructions, and the charter had left much to be settled by statute, Thomas Worsley, the third Master of the college, could justly boast of the "very peculiar, large and permanent provision for effecting all requisite modifications of the statutes".<sup>1</sup>

The break with the past was, however, by no means complete. The statutes of some of the colleges forbade the election of more than a certain number of Fellows, generally one or two, born in the same county, and the statutes of Downing, instead of totally omitting this restriction, merely modified it by raising the number to seven. There was little justification for retaining in any form a prohibition which belonged to an age when local feeling ran high and menaced the impartiality of college elections, and it is again somewhat singular, when so much new ground was being broken, that all Fellows of the college were forbidden by the charter to marry. It is perfectly true that this regulation was common to all the colleges, and that its strict observance was believed to be essential for the maintenance of collegiate life; but as the lay Fellows of Downing had only a limited tenure and were not expected to reside, it is difficult to see how the college could have suffered if they had been permitted to retain their fellowships after marriage.

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 436.

Certain other prohibitions and restrictions, which had long ago ceased to serve a useful purpose, were retained, but, nevertheless, the constitution of Downing can be fittingly described as an experiment in college reform. And just because it was an experiment which, if circumstances had been favourable, might have had far-reaching effects, it is important to realise that its failure was almost entirely due to an inexcusable neglect of duty on the part of the Court of Chancery. That Court approved a very ambitious building scheme which could not be completed owing to lack of funds;<sup>1</sup> and as the Crown was not prepared to appoint more than the three Fellows named in the charter until suitable buildings had been erected, and the statutes did not allow any scholarships to be awarded until the same condition had been fulfilled, the college remained over a long period without Scholars and with only three Fellows. It was also financially crippled by having, under an order of the Court of Chancery, to assign every year a considerable sum to a building fund, and this was a particularly heavy burden as the Downing estates had been much neglected during the years of litigation. "The college," wrote Worsley in 1851, "in its present unfinished state, is the only one in Cambridge which possesses no scholarships, exhibitions, prizes or other endowments or emoluments for undergraduates; and its three actual fellowships have hitherto been regarded as open to candidates, properly qualified, from any college in Oxford as well as in Cambridge. Downing, therefore, stands alone as unendowed, for any purpose of attraction to undergraduates, among the several colleges which constitute the University."<sup>2</sup> Consequently, Downing had only a handful of undergraduates, who were generally above the normal age, and, not infrequently, married men.<sup>3</sup>

Thus what was intended to be an encouragement of reform became a warning against it; and the other colleges were strengthened in the belief that the old ways were best or, at least, less dangerous. When urged to put their houses in order, they could point to Downing as an object lesson on what might happen if they drastically revised their statutes; and they seldom failed to draw such a convenient moral. This was by no means the only argument used against college reform, but the others might possibly have been less effective if it had not been available.

<sup>1</sup> H. O. Pettit-Stevens, *Downing College* (1899), p. 71.

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, pp. 437-438.

<sup>3</sup> *Ibid.* p. 438.



## Chapter II

### A COLLEGE ELECTION

DURING the early morning hours of Wednesday, 11 February 1807, William Elliston, Master of Sidney, lay dying at his Lodge. He had been Master for nearly fifty years, and had seen many changes in the life and manners of the University.<sup>1</sup> When a comparatively young man he had, as Vice-Chancellor, played an important, and, some thought a decisive, part in the contest between Lord Hardwicke and Lord Sandwich for the High Stewardship; but except on that occasion he had not been active as a University politician. He had, however, been a good Master;<sup>2</sup> and though he had probably outlived his usefulness, his loss would be regretted, particularly because there was no obvious person to succeed him. John Holden, who had been an extremely successful Tutor of the college, and had seemed destined to become its Master in due course, had died a few years before; and his colleague in the tutorship, George Butler, who had attained the rare honour for a Sidney man of being Senior Wrangler, and was a much respected member of the society, had in 1805 become Headmaster of Harrow School. Butler, though still a Fellow, had therefore ceased to play an active part in college business, and as the Master was under a statutory obligation to reside for at least six months of the year,<sup>3</sup> he seemed to have abandoned any idea of being Elliston's successor. Some of the other Fellows were unwilling to shoulder the burden of high office, and others were thought unfit to do so.

Consequently the problem of finding a new Master was likely to be difficult, and was not made any easier by the conditions under which the search had to be conducted. The statutes provided that if there was no suitable candidate among the Fellows, an ex-Fellow of the college might be chosen; but that if neither a Fellow nor ex-Fellow was qualified and willing, any member of Trinity College had a claim to be considered.

<sup>1</sup> Elliston had been an undergraduate at St John's College, and for an account of him see R. F. Scott, *Admissions to St John's College*, Part III, pp. 598-599.

<sup>2</sup> G. M. Edwards, *Sidney Sussex College* (1899), chapter xi.

<sup>3</sup> Earlier statutes of the college had forbidden the Master to be absent longer than one month in every quarter: *Documents relating to the University and Colleges of Cambridge* (1852), vol. III, pp. 535, 538.

Only in the unlikely event of Trinity being unable to produce an eligible candidate were the electors at liberty to select a Master from among the members of any other college in the University. Consequently, if a successor to Elliston could not be found among the Fellows and former Fellows of Sidney, the college would be in danger of being ruled by a Trinity man and, perhaps, of becoming a dependency of its more magnificent and opulent neighbour. Such a possibility struck terror into the heart of every loyal son of Sidney. College spirit ran high in those days; and the smaller colleges, often struggling for existence and very uncertain of their future, were particularly jealous of their independence.

The danger, indeed, was not remote. Only two Fellows of Sidney, William Chafy and Thomas Hosking, were willing to stand for election; and to both of them Butler and John Green, the senior Fellow, had the strongest objection, holding them to be quite unfitted for responsible office.<sup>1</sup> But as it was uncertain whether a candidate would be forthcoming from among the former Fellows, Green and Butler needed to be cautious in their opposition. They must have realised that if the Fellows of Sidney, who were the electors, were compelled to choose between one of themselves and a Trinity man, they would almost certainly prefer the former alternative.

When Elliston died about nine o'clock on the morning of 11 February, only four of the ten Fellows of Sidney, Green, Butler, Renouard, and Chafy, were in residence;<sup>2</sup> and before the breath was out of the Master's body, Butler had written to Edward Pearson and two other former Fellows, urging them to come forward as candidates. Also, immediately after Elliston's death, he joined with Green in making a second appeal to Pearson, and he subsequently wrote to another former Fellow.<sup>3</sup> But, as answers to these letters were not likely to arrive for some days, and the statutes required a new Master to be elected on the seventh day after the vacancy had become known to the Fellows in residence, there was much to be said for insuring against those answers being unfavourable. It is possible that this consideration

<sup>1</sup> In an appeal to the Visitor, Green, Butler and other Fellows of Sidney stated that both Chafy and Hosking were unsuitable candidates for the mastership, but asked to be excused from specifying, "however able they may be to do it, the particular points of disqualification". Trinity College Documents, Box 29, C, IV b.

<sup>2</sup> There were twelve fellowships, but two of them were vacant.

<sup>3</sup> Appeal of Green, Butler and other Fellows, Trinity College Documents, Box 29, C, IV b.

was not overlooked. When, an hour after Elliston's death, the four Fellows in residence assembled to hear Green announce that the election of a new Master would take place on Wednesday, 18 February, they were intruded upon by Francis Wollaston, who "in the presence of the Fellows assembled desired to be considered as a candidate, if the Fellows should be disposed to look for a Master beyond the members of their own body"<sup>1</sup>

Wollaston, who at this time was Jacksonian Professor of Natural and Experimental Philosophy, had been an undergraduate and then a lecturer at Sidney, but he was not, and never had been, a Fellow of the college. Consequently, he could not legally be considered for the mastership unless Trinity was unable to produce a qualified candidate; and therefore the consideration of his claim ought to have been postponed until Trinity had been formally notified of the vacancy. But no such notification was ever given. Renouard, one of the Sidney Fellows, did indeed talk with his brother, the Vice-Master of Trinity, and some other Fellows of that college about the Trinity claim; but these conversations were quite informal, and Lort Mansel, then Master of Trinity, was rightly indignant when they were represented to have been an official communication.

"This mere chit-chat of one brother with another", he scornfully wrote, "is meant to be worked up into an official communication by adding the distinction of Vice-Master. Now the Master being in college at the time, I humbly conceive that the Vice-Master upon such an occasion differed in no respect from another Fellow. Indeed, so little aware was the Vice-Master himself of this being anything like an intimation designed to be communicated to the college, that he never opened his mouth about it, conceiving it to be (as he told me himself this day) no other than private conversation between his brother and himself."<sup>2</sup>

Green afterwards solemnly declared that Wollaston, in thus coming forward as a candidate, had acted "without any persuasion, entreaty or solicitation whatever at that time or any other";<sup>3</sup> and this statement cannot be disregarded. But Green may have distinguished between a hint and "persuasion, entreaty or solicitation"; and it is not impossible

<sup>1</sup> Statement and Memorial of John Green, Trinity College Documents, Box 29, C, IV b.

<sup>2</sup> See a marginal note by Mansel on the copy of the appeal of Green, Butler and other Fellows. *Ibid.*

<sup>3</sup> Statement and Memorial of John Green. *Ibid.*

that when Wollaston appeared before the Fellows on Wednesday, 11 February, he was aware that his petition would be favourably received by at least two of them. There is no doubt that his candidature was welcome to Green and Butler as depriving Hosking and Chafy of an advantage which they would undoubtedly have if no ex-Fellow was prepared to accept the mastership; and that something like an intrigue was on foot is at least suggested by the absence of any official communication to Trinity. It is difficult to believe that any Fellow of Sidney was unaware that Wollaston was ineligible unless Trinity failed to present a qualified candidate.

But the greatest surprise of all had still to come. Butler left Cambridge that evening, and, before departing, announced that he was prepared to stand for election.<sup>1</sup> He apparently did not intend, if elected, to resign the headmastership of Harrow, and as he was a conscientious man, it is certainly strange that he was seemingly willing to become a pluralist beyond the dreams of even the eighteenth century. The fact, however, that he had appealed to several of the former Fellows to come forward as candidates, clearly indicates that, if any of them did so, he intended to withdraw, and there is some reason to think that he also intended to withdraw if he could thereby secure the vacant place for Wollaston. It is inconceivable that he could have desired to hold two burdensome offices; and it is a tenable theory that he never intended to do so unless no other way was discovered of saving the college from an undesirable Master or from Trinity. And as it was improbable that Trinity would suffer in silence such a flagrant disregard of its rights as Wollaston's election, there was much to be said for Butler remaining a candidate until the last moment, and thereby both providing a colourable excuse for the failure to notify Trinity and diminishing the danger of timely action by that college. For if Butler, who needed only to stand to be elected, was assumed to be a bona-fide candidate, it was most unlikely that Trinity would intervene before an election was made; and, if it subsequently protested, the explanation could always be given that the Fellows of Sidney had been confident until the eve of the election of being able to elect one of themselves, and had therefore not thought it necessary to look outside. It may well be that Butler was not guilty of this policy of deceit, but he was certainly accused of it. When the rights and wrongs of this very tangled business came to be discussed, Trinity asserted that as the names of the strongest candidates had not been with-

<sup>1</sup> Statement and Memorial of John Green. *Ibid.*

drawn until the last moment, it might be reasonably assumed that "they were only placed there to frighten away all candidates of inferior pretensions".<sup>1</sup>

After Butler left Cambridge nothing further happened until the following Saturday when the Fellows in residence met in the Parlour of the college for the nomination of the candidates, which had to be made at least three days before the election. This meeting was attended by Hosking, who had returned to college, Chafy and Renouard, and was presided over by Green. The proceedings are not devoid of interest. Green first wrote down the names of Butler and Chafy, who had informed him of their intention to stand for election, and then added the name of Hosking, who nominated himself. Green then nominated Pearson and Wollaston, though he had not yet heard from the former; and the proceedings ended by the list of candidates being signed by all the Fellows present except Chafy, who presumably perceived that the dice were being loaded against him, and desired to leave himself free to protest against Wollaston's election.<sup>2</sup>

By the morning of Tuesday, 17 February, three more of the Fellows had returned, and Green had received a letter from Pearson, who requested that his name should be withdrawn from the list of candidates. On the evening of the same day Butler returned, and, before going to bed that night, also withdrew his name. According to Green, Butler's withdrawal was due to his discovery that the Master was required by the statutes to reside for half the year; but, as he had been a Fellow for nearly ten years, it is curious that he was not previously aware of this restriction. Perhaps he was more influenced by other information he received. He may have heard on his return that, as a majority of the Fellows had pledged themselves to vote for Wollaston, there was no danger of either Chafy or Hosking being elected, and therefore no need for him to sacrifice himself. Like Isaac he was saved from an unfortunate fate by a ram in a thicket, but he possibly improved upon the youthful Israelite by placing the ram there himself.

That night eight of the ten Fellows were in residence, and at five o'clock on the following morning they assembled in the chapel to elect a new Master. After a celebration of the Holy Eucharist and a sermon from Butler, the actual business of the election began with the reading

<sup>1</sup> The Answer of Trinity to Wollaston's Statement, Trinity College Documents, Box 29, C, IV b.

<sup>2</sup> Statement and Memorial of John Green. *Ibid.*

of the ninth chapter of the college statutes, *De Qualitate novi Magistri eligendi*, and the taking of an oath by all the electors that they would vote as it directed. Then Green read out the names of the three candidates who remained, Chafy, Hosking and Wollaston, and the voting began. Five of the Fellows voted for Wollaston, Chafy and Hosking each voted for himself, and John Davie voted for Hosking. Green then said "Gentlemen, here are five votes for the Rev. J. H. Wollaston, B.D.; is there any objection to my declaring him duly elected?" After pausing, he repeated "Does anybody object to my declaring Professor Wollaston elected?" And as no one spoke, Green "pronounced Mr Wollaston elected in the form prescribed by the statute".<sup>1</sup>

At nine o'clock on the same morning the Fellows again assembled in chapel to hear Wollaston take the oath required of a newly elected Master. But just when he was about to do so, Hosking called out "Pray, Sir, what is the distance of your living from Cambridge?"; and on Wollaston saying that the distance was forty-six miles, Hosking asked him whether he knew "the restriction of the statute". "I never saw the statute," Wollaston replied, "but understand there is some restriction, and when I know what it is, I shall act accordingly"; and he then took the oath. A few hours later he was admitted as Master, and again Hosking protested, saying "you observe, I object to the election".<sup>2</sup>

The objection raised by Hosking was of minor importance and questionable validity. The statutes directed that the Master must vacate his office if promoted to a benefice with cure of souls distant more than twenty miles from Cambridge; but it was at least doubtful whether Wollaston could be held to be disqualified for election by being in possession of a benefice so situated. Hosking was, indeed, straining at a gnat and swallowing a camel, for the fatal objection to the election was the omission to consider the Trinity claim. But neither he nor any other Fellow made this point, and this is not surprising. Wollaston's supporters would have stultified themselves by doing so, and it was obviously to the advantage of Chafy and Hosking to upset the election without reference to the rights of Trinity, if they possibly could.

Butler and Green were doubtless well pleased by their victory; but if they thought that they had won more than the first round of the contest, they were unduly optimistic. Trinity was not likely to submit to the

<sup>1</sup> Statement and Memorial of John Green. *Ibid.*

<sup>2</sup> *Ibid.* Chafy refused to attend the admission ceremony.

establishment of a precedent which might be quoted against it in days to come; and if the waters were troubled, Chafy and Hosking were certain to fish in them. Consequently, there was an appeal to the Visitor, John Shelley Sidney, who was inundated by a flood of petitions, counter-petitions and memorials, in which the story of what had happened was told from different points of view.<sup>1</sup>

Somewhat curiously the petition of Chafy, Hosking and the latter's only supporter, John Davie, and the Trinity petition were drafted by the same lawyer, John Bell of the Chancery Bar, who, in a letter to Hailstone, the Senior Bursar of Trinity, justified himself for thus serving more than one master. "As far as goes to setting aside the election," he wrote, "your interests are the same, tho' afterwards there is a possibility of their clashing, and I hope this has enabled me to strengthen the case of each as to the common points."<sup>2</sup> It is not necessary to recapitulate the arguments advanced in these two petitions; but it is of some interest that they agreed in suggesting that the Visitor, instead of ordering a fresh election to be held, should appoint a new Master himself, though naturally Chafy and Hosking expressed the hope that he would choose either one or other of them, and the Master, Fellows and Scholars of Trinity asked that "if it should appear fitting to your Worship to take the appointment of a Master into your own hands, that you would be pleased to direct your views towards the society which we represent, where we confidently hope no *failure* or deficiency of objects worthy of your Worship's consideration in this respect will be found". This trust in the discretion of the Visitor is quite intelligible. Chafy and Hosking were well aware that they were unlikely to derive any advantage from a fresh election, and there was abundant evidence that the Fellows of Sidney were most unwilling to take a Master from Trinity.

Wollaston and his supporters were by no means blind to the importance of this particular point, and argued in their counter-petitions that the Visitor might annul the recent election but had no right to nominate to the mastership. They contended, however, that there was no justification for his intervention in any way; but though they successfully refuted a few of the charges brought against them by their opponents, their defence on the whole was very weak. They admitted that Trinity had not been formally notified of the vacancy, and vainly

<sup>1</sup> These various papers are among the Trinity College Documents, Box 29, C, IV b.

<sup>2</sup> John Bell to John Hailstone, 26 March 1807. *Ibid.*

endeavoured to excuse the omission by pleading that the statutes did not require any such notice to be given. And it surely rather harmed than benefited their cause to assert that, though Wollaston had never been a Fellow of the college, he had held for a time a Sidney lectureship on the foundation of Mr Taylor, whose bequest, intended for the establishment of a fellowship, had been diverted by an order of the Court of Chancery to the institution of a lectureship. By thus implying that Wollaston could be considered, at least with regard to his eligibility for the mastership, as practically an ex-Fellow of the college, they revealed how poorly stocked their armoury was.

The judgment of the Visitor is dated 19 January 1808.<sup>1</sup> He annulled Wollaston's election on the ground that it had not been made in accordance with the statutes which directed the electors, whenever the mastership was vacant, to enquire whether there were any suitable candidates "in the respective classes stated in the ninth chapter of the statutes of the said college", and "to elect from such classes in the order in which they are stated in such chapter". Applying this direction to the particular case under consideration, he ruled that the Fellows of Sidney were not entitled "to elect a Master from the University of Cambridge at large, unless there shall be wanting in the three previous classes... a fit person to be Master" But he completely dashed hopes in certain quarters by not only requiring a fresh election to be held, but disqualifying any Fellow of the college from being a candidate at it.

"It appearing to me," he continued, "from the papers laid before me... that the majority of the Fellows of the College of Sidney Sussex considered that there was not any present Fellow of such College, who was willing to become such Master, duly qualified to be the Master thereof, I do think to further order, and do order accordingly, that the Fellows of Sidney Sussex College do forthwith seek for a fit person to be Master of the said College from among those who at any time heretofore have been Fellows of the said College, and in case such a one shall be found, and he shall be willing to become such Master, then I do further order that the said Fellows of Sidney Sussex College do elect him Master accordingly."

If no ex-Fellow, who was both suitable and willing, could be found, the electors were directed to "enquire whether there is any member of Trinity College duly qualified to be Master of the said College of Sidney

<sup>1</sup> The long interval between the election of Wollaston and the publication of the Visitor's judgment was partly due to the delay in presenting the Trinity petition.



Sussex, and who shall be willing to become such Master", and only if this search proved fruitless were the electors to be at liberty to choose a Master from any other college in the University.<sup>1</sup>

Thus any hopes which Chafy and Hosking may have cherished were completely destroyed, and their disappointment was not made easier to bear by the humiliation which accompanied it. Trinity, moreover, could not have been content. Its legal rights under the statutes of Sidney were, indeed, fully recognised and protected against attack in the future; but it had hoped for more. In June 1807 Mansel had told Hailstone, the Senior Bursar of Trinity, that "if you have the success which you deserve, then Davies, if he pleases, Lambert or the Vice-Master may be our next Vice-Chancellor";<sup>2</sup> and there was now very little hope of such a victory. It was certain that the Fellows of Sidney would do their utmost to persuade one of the ex-Fellows to accept the mastership; and they were more likely to be successful than on the previous occasion, as they could urge that, if their appeal was unheeded, the office would almost certainly fall to a Trinity man.

Wollaston was undoubtedly most bitterly disappointed. Gunning was possibly only repeating ill-natured gossip when he recounted that Wollaston "believed himself so firmly fixed in the mastership that he directed the gardener, when he pruned the trees, to leave as much bearing wood as possible, as he should want a great quantity of fruit during his Vice-Chancellorship";<sup>3</sup> but it is certain that he was most anxious to continue as Master, and had worried the Visitor "with personal applications and long interviews".<sup>4</sup> But his supporters among the electors were not left, as he was, entirely without hope. They had, indeed, been convicted of grossly illegal conduct, and the Master of their choice had been deposed; but if they succeeded in persuading one of the ex-Fellows to sacrifice himself on the altar of duty, they would emerge in triumph from the valley of humiliation. They did not neglect

<sup>1</sup> Trinity College Documents, Box 29, C, IV b.

<sup>2</sup> *Ibid.* It was an established custom to elect as Vice-Chancellor the senior by degree among those Heads of Houses who had never held the office, and consequently a very recently appointed Head was often called upon to be Vice-Chancellor. Mansel was therefore suggesting that one of the persons he named might become Master of Sidney.

<sup>3</sup> Gunning, *Reminiscences* (1854), vol. II, p. 287. Gunning's account is very meagre and extremely inaccurate. He states, for instance, that the Visitor ruled that "Chafy ought to have been chosen"; and his dates are wrong.

<sup>4</sup> William Whitton to John Bell, 17 April 1807. Trinity College Documents, Box 29, C, IV b.

the opportunity thus offered to them, and induced Edward Pearson, who had previously declined to be a candidate, to step into the breach. "The die is cast," wrote Mansel on 31 January 1808, "Mr Pearson was this morning unanimously elected Master."<sup>1</sup>

This was by far the best ending to a story which is only worth retelling because it is so very characteristic of its day. When the University and the colleges were living under antiquated statutes which could not possibly be strictly enforced and were therefore constantly broken, a disregard of statutory obligations was only thought of as a venial offence, and hardly even as that if it was a means to a worthy end. It is therefore not surprising that virtuous and conscientious men, like Green and Butler, did not scruple to evade a statute which stood in the way of what seemed to them a desirable course of action. If not born, they had at least been bred in an atmosphere of law-breaking, and were therefore easily tempted to exceed the license habitually allowed them. Moreover, their opposition to Chafy and Hosking was not the outcome of self-interest or personal hostility. They were conscientiously convinced that neither of the men they proscribed was fit to be Master, and equally firmly convinced that the interests of the college would suffer if a Trinity man was installed in Sidney Lodge. This fervent spirit of college loyalty, this love of "the House", as the Fellows were wont to call the foundation to which many of them owed all the success they had achieved in the world, is not the least agreeable feature of a past and forgotten Cambridge; but, like patriotism, it narrowed men's minds as well as ennobling them. And its evil effects were not only manifested in Sidney on this occasion. Trinity, for instance, displayed deplorable selfishness. It was the most wealthy and prosperous college in the University; but, not content with defending its rights which had most certainly been assailed, it snatched eagerly at the opportunity of securing the mastership of a poor and struggling college. Happily, the little ewe lamb escaped the clutches of the rich man.

<sup>1</sup> Lort Mansel to J. Hailstone, 31 January 1808. *Ibid.*

## Chapter III

### UNDERGRADUATES IN BONDS

BY the beginning of the nineteenth century the evangelical party in the Church of England had gained a firm footing at Cambridge; and several of the younger, and not a few of the older, members of the University were zealous supporters of it. Isaac Milner, who was President of Queens' from 1788 to 1820, succeeded in making his college one of its strongholds, and the influence of two Tutors of Magdalene, William Farish and Henry Jowett, brought that college into the same camp. Joseph Jowett, who for twenty years was a Tutor of Trinity Hall, and from 1782 until his death in 1813 Professor of Civil Law, was a zealous member of the party, as was also John Brown of Trinity, who in 1807 became an assistant Tutor of his college. Thus some of the key positions in the University, as they would nowadays be called, were in the hands of evangelicals; but the influence of these men, though considerable, was far less than that exercised by Charles Simeon, the leader of the party in Cambridge. The story of the fierce opposition and contemptuous ridicule which Simeon encountered during the early years of his incumbency of Holy Trinity Church has been too often told to bear repetition; and it is enough for the present purpose to mention that it was from him that the movement received the guidance and inspiration that it needed. His fervent piety supplied the inspiration and his sound judgment the guidance; and the nickname of Simeonites given to the Cambridge evangelicals was particularly appropriate.

Many undergraduates were brought by Simeon's preaching to think seriously about religion for the first time in their lives; and sometimes these youthful disciples were a source of anxiety to the older members of their party. With the generosity of youth they longed to give others the happiness and peace of mind which they themselves had obtained; and, not having yet learned the value of caution, they were perhaps too ready to think that their seniors were not sufficiently active in spreading the good news of the Gospel. With such a vast vineyard crying for cultivation, it was almost impossible for the more enthusiastic of them to linger in the market-place, waiting to be hired; and under the influence of this missionary fervour a few pious undergraduates in the

autumn of 1811 conceived the idea of establishing an auxiliary branch of the British and Foreign Bible Society at Cambridge.

They were possibly quite unconscious of the difficulties in their way. The British and Foreign Bible Society, which had been established in 1804, owed its existence to the lack in Wales of Bibles in the vernacular; but there was never any intention to restrict its activities to that country, and its object from the outset was to "encourage a wider circulation of the Holy Scriptures", and of the Scriptures alone. In this respect it differed from the Society for the Promotion of Christian Knowledge, which distributed Prayer Books and Tracts as well as Bibles; and this was not the only difference between the two organisations. None but members of the Church of England could join the Society for the Promotion of Christian Knowledge; and, as both Archbishops and all the Bishops were among its supporters, its exclusively Anglican character was loudly proclaimed. The Bible Society was open to all Christians, and fifteen of the thirty-six members of the managing committee had to be chosen from denominations other than the Church of England. It, indeed, enjoyed a moderate degree of episcopal support, having among its Vice-Presidents the Bishops of London, Durham, Exeter and St David's; but it was clearly not intended solely to promote the Anglican faith, and the choice of a Baptist Minister to be one of its three secretaries, and of the Chaplain of the Lutheran Church in the Savoy to be another, indicated the liberal principles of its founders.

Its undenominational character was probably an attraction to an undogmatic generation, and it prospered from the first. It received influential patronage, and was warmly supported by the evangelicals, who thought it no disloyalty to the Establishment to co-operate with Dissenters in encouraging the study of the Scriptures. It quickly acquired more members and, consequently, more subscriptions than the Society for the Promotion of Christian Knowledge; and within a few years it had auxiliary branches in many English towns. But it did not escape criticism from strict Anglicans. Christopher Wordsworth, a future Master of Trinity, published in 1810 a pamphlet, in which he set out his reasons as a churchman for declining to become a subscriber to the Bible Society; and on 13 June 1811 Herbert Marsh, the Lady Margaret Professor of Divinity, preached a sermon in St Paul's Cathedral, in which, without mentioning the society by name, he indirectly attacked it. His hearers could not possibly have mistaken his meaning when he praised the Society for the Promotion of Christian Knowledge

as "a true Church of England society", because "no one is received among its members without testimony of his attachment to the constitution as well in Church as in State", and because "it never loses sight of those doctrines which we in particular believe and maintain". It was impossible, he argued, to be loyal to the Church of England and to support a society which distributed Bibles without Prayer Books or any other form of guidance.

"For though, without the Bible," he explained, "the liturgy has no support, yet without the liturgy men are left in *doubt* whether the principles of *our* faith should be embraced by them or not. Without the liturgy they want a guide to lead them to the Established Church. Without the liturgy the Bible may be made to lead them into doctrine and discipline most discordant with our own. Where the Church of England therefore is established, the Bible and the liturgy should be united."<sup>1</sup>

The young Cambridge enthusiasts, who so earnestly desired to establish an auxiliary branch of the Bible Society, were not to be deterred from their purpose by anything that Professor Marsh might say; but as they were aware that many leading members of the University shared his opinions, four of their number, who had been appointed to act as an undergraduate committee, decided to consult with William Farish, Dr Jowett, and Isaac Milner, knowing them to be sound evangelical Christians, and confidently expecting their support in the assault upon spiritual wickedness in high places. To their great disappointment they did not receive the encouragement which they had taken for granted. Farish, who was now a Professor, "sat with his head on his hand and said very little", being clearly embarrassed and unwilling to commit himself; and Dr Jowett, though very kind, was not very helpful.<sup>2</sup> Milner was not at all embarrassed, and told them that though he applauded their ardour in a cause to which he was deeply attached, they must "retire from the conduct of the affair, and . . . place it entirely under the control of their superiors in the University".<sup>3</sup> He approved the enterprise but objected to the association of undergraduates with it;

<sup>1</sup> Herbert Marsh, *A Sermon preached in the Cathedral Church of St Paul, London, on Thursday, 13 June 1811*. See also John Owen, *History of the Origin and first Ten Years of the British and Foreign Bible Society* (1816); *Reports of the British and Foreign Bible Society*; Miss M. G. Jones, *The Charity School Movement* (1938), pp. 320-321.

<sup>2</sup> William Carus, *Memoirs of the Life of Charles Simeon* (1847), p. 313 note.

<sup>3</sup> Mary Milner, *Life of Isaac Milner* (1842), p. 464.

and there is no question that he only said what Farish and Jowett thought.

If Milner had been content to advise the young men to place themselves under the guidance of their elders, he could properly have been commended for his prudence. The establishment of an auxiliary branch of the Bible Society at Cambridge was very far from being an easy undertaking. It would be held to endanger that intimate connection with the Church of England, which the University had always so resolutely maintained; and the influential support required to allay this apprehension would certainly not be given to a crusade organised and led by undergraduates. There was also a risk that the junior members of the University, allowing their zeal to outrun their discretion, might attempt "by a sort of tumultuous petitioning... to intimidate such as were not favourable to their wishes",<sup>1</sup> and thereby discredit the evangelical party; and for these and other reasons it was most desirable that the direction should be in more experienced hands. But Milner went further, requesting the undergraduates "to retire from the conduct of the affair", and "... place it entirely under the control of their superiors in the University"; and in making this demand he was looking further ahead than the successful launching of the scheme under consideration. He was convinced that if undergraduates were permitted to organise themselves for the purpose of diffusing a knowledge of the Bible, it would not be long before they were banding together to spread subversive political ideas; and that therefore it was of the utmost importance to impress upon them that they had not come to the University to teach their elders and betters.

Milner was certainly a very extreme Tory, and for ever haunted by the spectre of revolution; but he was by no means singular in his conception of what young men at the University might safely be permitted to do. Youth had not yet come to its own, and it was accepted, almost as axiomatic, that undergraduates should be strongly discouraged from actively interesting themselves in the affairs of the nation and the world. It was a short-sighted policy, for if young men are treated as children they will behave like children, as is shown by the rioting and disorder in which undergraduates then so frequently indulged; but this simple truth had not yet dawned upon the academic mind, and Milner's fears were typical of his time. But when the committee of four, who had

<sup>1</sup> John Owen, *History of the Origin and first Ten Years of the British and Foreign Bible Society* (1816), vol. II, pp. 151-152.

interviewed him, reported to the fifteen or so undergraduates, whom they represented, the advice they had received, much indignation was expressed.

“One besides myself”, wrote a member of the committee, “alone resisted the proposition for immediately establishing a Bible Society without the seniors. The three others of the committee especially urged the certainty that the whole design would be crushed before the birth, by some proceeding of the hostile seniors, if we any longer delayed. In vain did I communicate to them what I knew of the actual preparation of the favourable seniors for carrying our wishes into effect. In vain did — back my representation in a very vigorous and sensible manner. The resolution of the meeting was *decided* for acting by ourselves, neglecting the seniors, without delay. The time and place of a public meeting were discussed, and all but settled; until at length, at a very late hour, our constituents were prevailed upon to refer the decision back to the committee, (of whom they knew that three out of four were decidedly in favour of precipitate measures) but with this understanding, that the committee should have an interview with Mr Simeon before we promulgated our final decision.”<sup>1</sup>

“The battle was won”, continued the same writer, and so indeed it was, for Simeon succeeded in persuading two other members of the committee that they would not serve the cause they had at heart by raising the standard of rebellion, and that it was their duty as Christians to obey those placed in authority over them. “From that hour”, we are told, “no further question was entertained as to the juniors acting *alone*, no further meetings were held even of our committee; the whole was left with unhesitating confidence to the seniors.”<sup>2</sup> It says much for Simeon’s tact and influence that he was able to convince his youthful hearers that, however worthy their motives, they would do much harm by persisting in a hopeless adventure; and doubtless he felt sorry for the young men whom he called upon to make such a painful sacrifice. But he could never have been in doubt as to the attitude he ought to adopt, for the evangelical party stood for peace and order.

Thus it fell to Simeon and a few other leading evangelicals in the University to accomplish a project which they had not initiated; and for a time it seemed likely that they would fail to perform their self-appointed task. The Vice-Chancellor, when approached by Professor

<sup>1</sup> William Carus, *Memoirs of the Life of Charles Simeon* (1847), p. 313 note.

<sup>2</sup> *Ibid.*

Farish, gave permission for a meeting to be held for the purpose of establishing a branch of the Bible Society in Cambridge, but clearly intimated that he did not approve the venture;<sup>1</sup> and Professor Marsh, scenting a Methodist plot, published a pamphlet in which he followed the same line of attack as in his sermon at St Paul's.<sup>2</sup> Other strict churchmen in the University also expressed strong disapproval; and in consequence of this outcry, many influential persons, both at Cambridge and elsewhere, declined to attend the meeting, even though Lord Hardwicke, the High Steward, had promised to take the chair at it. William Wilberforce, who was an untiring advocate of the scheme, was much disappointed to find that the Duke of Gloucester, who had recently succeeded the Duke of Grafton as Chancellor of the University, intended to be strictly neutral, and that even Milner, who was on a visit to London, was unwilling to be associated with what appeared to be a lost cause.

"The Dean",<sup>3</sup> wrote Wilberforce to Simeon on 6 December 1811, "judges on the whole that his attending the meeting, as it now appears, would do more harm by lessening his influence on other occasions, on which it might be useful to the cause of religion, than good by the gain in this particular instance. I do not concur with him in this opinion. Still, however, I believe the Dean would attend if you could name to him almost any respectable people who would be present. Cannot you do this? Would not the Earl of Bristol attend? . . . The Dean would be quite decided if the Bishop of Bristol<sup>4</sup> would attend. He is afraid of appearing the head of a number of undergraduates, and being thought thereby to encourage insubordination; . . . you should desire Lord Hardwicke to prevail on some other grandees to be present."<sup>5</sup>

The situation seemed really desperate, for not a single Head of a House had undertaken to attend the meeting.

The worthy evangelicals who sat on the Cambridge committee in charge of the arrangements were much dismayed when they heard that they would not have the support of the Great as well as of the Good; and they decided to postpone the meeting, much to the disgust of Professor Farish who, though generally very mild, gallantly declared

<sup>1</sup> *Ibid.* p. 309.

<sup>2</sup> Herbert Marsh, *Address to the Members of the Senate* (25 November 1811).

<sup>3</sup> Milner was Dean of Carlisle.

<sup>4</sup> The Master of Trinity was Bishop of Bristol.

<sup>5</sup> Robert Isaac and Samuel Wilberforce, *Life of William Wilberforce* (1838), vol. III, p. 560.



that he himself would summon a meeting, even if every senior member of the University refused to attend. Put out of countenance by the Professor's courage, the committee reversed its decision, and was rewarded for doing so by a sudden and unexpected lifting of the clouds. On 10 December the Duke of Gloucester informed Wilberforce that though he was still of the opinion that it would be better for him not to appear in person, "he had written to desire that it might be stated to the meeting that he highly approved the cause, and was willing not only to subscribe the sum of fifty guineas but to accept the Presidency of the branch society, if that should be the general wish". On learning that the Duke was prepared to go so far, Milner decided to attend the meeting, and at the last moment the Master of Trinity gave in his name as a supporter. "Truly God showed that He reigns in the earth", was Simeon's comment on this turn of fortune. "The Earl of Bristol, to whom we had sent an express at Bury, gave us his name. . . . The Dukes of Bedford and of Rutland gave us their names. . . . And, to crown all, Mr Nicholas Vansittart sent down a printed letter to Dr Marsh in answer to his. (N.B. Mr V. is of the Privy Council<sup>1</sup>)."

So, with the blessing of Dukes, Heads of Houses and other distinguished persons the meeting was held on Thursday, 12 December, and a Cambridge branch of the Bible Society founded. As Professor Marsh and other strict churchmen did not attend, Simeon was able to report that the unanimity which prevailed "was like that of the day of Pentecost", and that "God Himself was manifestly present";<sup>2</sup> and this note of triumph can be heard in many of the speeches delivered at the meeting. Nearly all the speakers emphasised the great and unexpected victory which had been won over the forces of evil and darkness; and some of them had at least the grace to pay a tribute to the modesty and self-restraint of the "ingenuous undergraduates" who had begun the happy work which was now being perfected. "When have we seen in young men", said Professor Farish, "such a . . . self-denying zeal?"; and as the Professor was imperfectly heard, Simeon enlarged on the same theme, and informed the meeting that when the undergraduates "found that the discipline of the University did not admit of their taking such steps as were necessary for effecting their designs, they most gladly surrendered the measure into the hands of their seniors". Milner also paid his meed of praise; but as he felt it necessary to justify his long sojourn on

<sup>1</sup> William Carus, *Memoirs of the Life of Charles Simeon* (1847), p. 310.

<sup>2</sup> *Ibid.* p. 311.

the fence, he struck a somewhat sterner note. "Perfectly docile as the undergraduates showed themselves to be", he said, "I still felt the most imperious necessity laid upon me on no account to promote their purposes till I was convinced that there did not exist even a germe (*sic*) among them which might possibly grow into anything like a disorderly combination."<sup>1</sup>

Discipline had, indeed, been maintained, though with more difficulty than many realised; but when peace returned to Europe and authority began to be seriously challenged, it was inevitable that undergraduates should attempt to cast off the shackles of the previous age. It is not, however, surprising that the older academic generation continued to live in the past, and to think like Milner that they must ever be on the outlook for germs of disorderly combinations; and of this school of thought James Wood, Master of St John's, was a typical example. He had been trained in a very hard school, for as an undergraduate he had been too poor to afford even such bare necessities of existence as warmth and light, and consequently had frequently to pursue his studies "by the light of the rush candle on the staircase, with his feet in straw";<sup>2</sup> but he triumphed over obstacles which would have effectively daunted lesser men, and gained the great distinction of being both Senior Wrangler and first Smith's Prizeman. To the end of his life he remained the same determined character; and as he also possessed many amiable and attractive qualities, he acquired much influence. This was in a way unfortunate, for he had not moved with the times and wished the University to remain as it had been in the days of his youth.

As Vice-Chancellor, to which office he was elected in November 1816, he deservedly earned the reputation of being an excessively rigid and unenlightened disciplinarian; and though most of his activities have now been forgotten, he is still remembered by a few as the suppressor of the Union Society. This debating club of the junior members of the University had been formed in 1814 by the coalescence of three rival societies, and met for the first time in February 1815.<sup>3</sup> It discussed

<sup>1</sup> *Cambridge Chronicle*, 20 December 1811; Mary Milner, *Life of Isaac Milner* (1842), pp. 471 ff.

<sup>2</sup> Thomas Baker, *History of St John's College*, edited by J. E. B. Mayor (1869), Part II, pp. 1094-1104; R. F. Scott, *Admissions to St John's College* (1931), Part IV, pp. 569-570.

<sup>3</sup> In the preface to the *Cambridge Union Society: Inaugural Proceedings* (1866), p. xvi, the Union is said to have been founded in 1815; but in a letter in the same volume from its first secretary, the date of foundation is given as 1814.

political and literary questions, and for this purpose met once a week during the period of undergraduate residence in a room at the back of the Red Lion Hotel, which in after years Lord Houghton described as "something between a commercial room and a district-branch-meeting house". But though the society was sordidly housed, it was eminently respectable, and, as it trained young men to debate and to take an intelligent interest in the affairs of the nation, it deserved to be supported by the authorities. Unfortunately, however, Dr Wood was appalled to learn that undergraduates were actually discussing the Government's Irish policy and other similar questions; and, like Cromwell on a more famous occasion, he decided to put an end to their prating. Consequently, on 24 March 1817 a meeting of the Union was interrupted by the Proctors, who in the name of the Vice-Chancellor commanded the members to disperse at once, and on no account to re-assemble. Whewell, then a Bachelor of Arts, and within a few months of gaining a Trinity fellowship, was in the chair, and the youth was father to the man. "Strangers", he pompously replied to the Proctors, "will please to withdraw, and the House will take the message into consideration."<sup>1</sup>

The result of the consideration was that a deputation from the society immediately waited upon the Vice-Chancellor; but these youthful advocates of freedom of speech completely failed to convince him. Dr Wood remained unshaken in his determination "not to permit the society to continue its debates on political, literary or any other subjects";<sup>2</sup> and to the folly of obstinacy he added the blunder of excusing his action by a letter he had received from a member of the Union, who asserted that his own studies "and those of several of his friends had been checked and their prospects blighted, by the attention and attendance which they had been obliged to bestow on the society".<sup>3</sup> He thus practically admitted that he had condemned the Union on the unsupported testimony of a single person, and on testimony which could be easily and effectively refuted. As the weekly debates seldom lasted longer than a couple of hours, it was absurd to pretend that they were a serious tax upon the time of undergraduates, and the charge was rendered even more ridiculous by the fact that the Union numbered

<sup>1</sup> *Cambridge Union Society: Inaugural Proceedings* (1866), pp. 26-27; *A Statement regarding the Union* (1817), pp. vii-viii.

<sup>2</sup> *A Statement regarding the Union* (1817), pp. vii-viii.

<sup>3</sup> *Ibid.* p. ix.

among its members three University Scholars, seven Chancellor's medallists, twelve Brown medallists, and several who had distinguished themselves in the Senate House Examination. It would have been better if Dr Wood had been more candid, and frankly admitted that he objected to persons *in statu pupillari* taking an interest in political questions.

Yet his hypocrisy, though he did not know it, was homage paid by the old world to the new. Not many years before, undergraduates had been forbidden to participate in a movement for advancing a knowledge of the Bible, and it had been taken for granted that they ought to be restrained from doing so. But since then liberal thought had made a certain amount of progress at Cambridge, and it is of interest that several Masters of Arts, who were or had been members of the Union, presented a petition to the Chancellor against its suppression.<sup>1</sup>

The Chancellor wisely abstained from interference; and Dr Wood, possibly fortified by the support of most of the Heads of Houses, treated with scornful disdain a respectful remonstrance by the members of the Union, who pledged themselves to exclude politics from their debates and to submit to any restrictions which were not utterly incompatible with the accomplishment of their wish to acquire practice in public speaking. He refused to consider this very conciliatory offer, declaring that as he had only acted after careful deliberation, he could not make the smallest concession.<sup>2</sup> He lived, however, to see his victory completely undone. In March 1821 the then Vice-Chancellor, who was Dr Wordsworth, Master of Trinity, permitted the Union to resume its debates, on the condition of the exclusion of all political questions falling "within a floating period of twenty years anterior to the time of discussion"; and this proved to be the thin end of the wedge, for about ten years later commonsense completely triumphed, and the Union was permitted freely to debate all political questions.<sup>3</sup>

Probably many of the older residents shook their heads sadly over this relaxation of discipline, muttering "What would Dr Milner have said?";<sup>4</sup> but they could do no more. The University was feeling the

<sup>1</sup> C. H. Cooper, *Annals*, vol. IV, p. 517.

<sup>2</sup> *A Statement regarding the Union* (1817), pp. viii-xi.

<sup>3</sup> C. H. Cooper, *Annals*, vol. IV, p. 517 and note. *Cambridge Union Society: Inaugural Proceedings* (1866), p. viii.

<sup>4</sup> Milner died on 1 April 1820.

wash of the rising tide of liberalism in the country; and restrictions, which only a few years before had been accepted with comparatively little protest, could no longer be maintained. It is extremely likely that Dr Wordsworth, who was a strong Tory and a very strict disciplinarian, thought that by conceding a little he had saved much; and he certainly would have greatly disapproved the political activities of the twentieth-century undergraduates. But, however unwittingly, he had struck a blow for liberty.

## Chapter IV

### THE ATTACK ON HEADS OF HOUSES

THE statutes given by Queen Elizabeth to the University, which remained in force until midway through the nineteenth century, constituted the Heads of Houses, as Dean Peacock pointed out, "a distinct and separate estate in the government of the University".<sup>1</sup> They enjoyed the right of determining any ambiguities in the statutes, and in the sixteenth and seventeenth centuries frequently changed them by interpreting them in a contrary sense to their plain grammatical meaning. With the Doctors of the three faculties of divinity, law and medicine, and the two Scrutators, who were the tellers in the Non-Regent House, they elected that small and autocratic body known as the Caput, of which any member could by his single vote prevent a Grace from being submitted to the Senate. They also acted as the Vice-Chancellor's assessors in the Chancellor's Court, and without their concurrence no student could be expelled and no Doctor or Head of a House imprisoned. The Vice-Chancellor, moreover, had to be annually elected by the undivided Senate on 4 November from two candidates whom the Heads had nominated the day before; and the fortieth chapter of the code prescribed that "the nomination and election of the lecturers, the bedells, stationers, gaugers, wine-sellers, and all other servants or officers of the University, concerning whom provision is not elsewhere made by us, shall follow the method and form prescribed for the election of the Vice-Chancellor". Under this extremely comprehensive provision the Librarian, the Registrar, and the Public Orator were included; and with a few exceptions the University could choose its officers only from among those whom the Heads had nominated.

The statutes, however, did not confine the Vice-Chancellorship to Heads of Houses, though there was justification for doing so, as an awkward situation would be created by a Fellow of a college being placed as Vice-Chancellor in authority over his own Master. But from 1587 the Vice-Chancellor was by custom always a Head of a House; and this limitation of a liberty allowed by the statutes was apparently not challenged until the eighteenth century, and then ineffectively.<sup>2</sup> It was also customary for the Vice-Chancellor, though he was under no

<sup>1</sup> George Peacock, *Observations on the Statutes of the University* (1841), p. 45.

<sup>2</sup> D. A. Winstanley, *Unreformed Cambridge* (1935), p. 11.

legal compulsion to do so, to consult the Heads of Houses on all important business; and he appears to have regularly sought their advice. Nor is it surprising that he should be anxious to have it. It became a convention of the academic constitution to elect as Vice-Chancellor the senior by degree among those Heads of Houses who had never held the office, and as this frequently involved a recently appointed Head, particularly if he happened to have a doctor's degree, being called upon to preside over the University within a few months or even weeks of his return to Cambridge after a long absence, and therefore when quite unacquainted with the duties he had to discharge, it was the rule rather than the exception for a Vice-Chancellor to need guidance. The Heads consequently acquired a firm and well recognised position as advisers of the Vice-Chancellor. These meetings of the Heads, as they were called, were generally held in the vestry of Great St Mary's Church after Sunday service, and undoubtedly served a very useful purpose.

Heads of Houses were therefore, what they are not now, officers of the University; and they took care to stress the difference between themselves and other members of the Senate. During the early years of the nineteenth century they continued to wear wigs, and tended to limit their social circles, admitting only other Heads and Professors to their intimacy. But a price has to be paid for power and prestige, and as a class they were unpopular. Yet between the sixteenth century, when they were accused of a misuse of their right of nomination, and the nineteenth century, their authority, though resented, was not seriously disputed, for most of it had a statutory basis, and the University was not in a mood to embark upon the stormy sea of reform.

Early in the nineteenth century, however, a more revolutionary spirit began to show itself, and the influence which the Heads possessed came to be felt by some members of the Senate as an intolerable grievance. A certain number of the younger Fellows were enthusiastic Liberals, and justly regarded the Heads as the champions of Tory and reactionary opinions in politics, and, with less justice, as completely blind to the need of adapting the University to the wants and requirements of a new age. Of this party Adam Sedgwick, who had gained a fellowship of Trinity in 1810, and eight years later had been elected to the Woodwardian Professorship of Geology, was more or less the leader; but the opposition to the Heads was by no means purely political, as some of the young Tories in the University equally fretted under their sway. And when those who exercise power begin to be dis-

trusted, the suspicion soon arises that they are seeking to extend it; and it was not long before the Heads were accused of grossly exceeding their authority, ample though it was.

The occasion of this outburst was the vacancy in the Professorship of Mineralogy created by the death of E. D. Clarke in March 1822. Clarke, who was the first Professor of that subject, had been very successful, mainly because of his unbounded enthusiasm and his fluency as an orator. He was, indeed, a singular character and quite unlike the ordinary Cambridge Don of his day or of any other. His undergraduate career had not been distinguished, for, lacking any aptitude for mathematics, he had only obtained a third class in the Senate House Examination; but he had not wasted his time, having eagerly studied mineralogy and many other subjects as well. In 1795 he was elected to a fellowship of Jesus, but for many years he was only occasionally in residence, as he travelled extensively in Europe and Asia, collecting in the course of his wanderings manuscripts, minerals and objects of art. In 1802, however, having satisfied his taste for adventure, he settled down at Cambridge, and three years later was appointed a Tutor of his college. But after a few months he forfeited both his tutorship and fellowship by marriage; and as he was far too active in mind to vegetate in a country rectory, and was quite aware of his gifts as a speaker, he announced, with the approval of the Vice-Chancellor, a course of lectures on mineralogy for the Lent term of 1807. As he was well known and very popular, and as no lectures on mineralogy had ever been given in the University, the announcement aroused much interest. About two hundred persons attended his first lecture and they were not disappointed. "I never came off with such flying colours in my life", he wrote to a friend on the following day. "I quitted my papers and spoke extempore. There was not room for them all to sit."<sup>1</sup>

As he had not studied mineralogy systematically, he probably did not treat the subject very scientifically, but his hearers did not know enough to be critical, and as his lectures were amusing, he continued to attract large audiences. He was, indeed, so successful, that his numerous friends in the University began to agitate for his elevation to the status of a Professor; and, though at first they encountered considerable opposition, they ultimately achieved their purpose. In December 1808 the Senate approved a Grace which conferred on Clarke the title of Professor, but neither established a chair of mineralogy nor assigned him a stipend.

<sup>1</sup> W. Otter, *Life and Remains of the Rev. E. D. Clarke* (1824), p. 552.



Subsequently, however, he received from the Government, like certain other Professors, an annual grant of one hundred pounds, provided that he continued to lecture, but he did not need this inducement to fulfil a duty which was also a pleasure. He seems to have enjoyed his lectures quite as much as his hearers, whom he carried away on the tide of his own enthusiasm. He made a practice of speaking without notes; and "instead of growing dull and listless by repetition, the interest excited by his lectures. . . became every year more animated, . . . as was evinced by the growing numbers of his class".<sup>1</sup> If he had been a popular entertainer, he could hardly have taken greater pains to amuse; and about the year 1816 he began "to study oil painting, for no other purpose than to embellish his lecture room with fresh ornaments and attractions, and by a series of designs to give a faithful and accurate representation of the native character and situation of his most remarkable minerals, and of the scenes amidst which they occur".<sup>2</sup>

After his death in March 1822 the question came under discussion whether he had aroused such a lasting interest in mineralogy as to justify the creation of a chair in that subject. It was impossible to deny his very great success, but it was admittedly a personal triumph, and, consequently, uncertain whether another Professor would be able to attract listeners. Therefore in certain quarters, and particularly among the Heads of Houses,<sup>3</sup> there was great reluctance to establish a professorship which might not be wanted; and this hesitation was not unreasonable, as the supply of Professors was already greatly in excess of the demand for their services. Indeed, the question of appointing a successor to Clarke might never have been raised if there had not been a resident Fellow of St John's, J. S. Henslow, who was well equipped to give instruction in mineralogy and anxious to do so. Though still quite young, being only twenty-six years old, Henslow had already made a name for himself in the University; and as he was known to be a serious student, there were many who held that it was an instance of the hour and the man. There was also the argument that the seed which Clarke had sown should not be allowed to wither away for lack of nourishment.

<sup>1</sup> W. Otter, *Life and Remains of the Rev. E. D. Clarke* (1824), pp. 574-575.

<sup>2</sup> *Ibid.* p. 635.

<sup>3</sup> In a letter which appeared in the *Cambridge Chronicle* of 23 April 1823, Sedgwick stated that after Clarke's death "there was some difference of opinion on the expediency of continuing the Professorship of Mineralogy" and that he noticed "in certain high quarters an unwillingness to continue the appointment". Sedgwick republished this letter in *A Reply to an Address to the Senate* (1823), pp. 1-8.

As there was this clear division of opinion, the Vice-Chancellor, who was Dr French, Master of Jesus, was willing in his official capacity to propose a Grace for the establishment of a Professorship of Mineralogy, though personally in favour of no action being taken.<sup>1</sup> But he was slow to move. It was not until the beginning of May that he gave notice of his Grace, and then, a few days later, withdrew it.<sup>2</sup> Therefore Henslow, who had already embarked upon an active canvass of members of the Senate, began to fear that he was wasting his time, and, in order that he should know where he stood, his intimate friend, Adam Sedgwick, waited upon the Vice-Chancellor.<sup>3</sup> Dr French was very cordial and, seemingly, quite frank. He declared his intention of proposing on 15 May the Grace which he had recently withdrawn, and mentioned that it was exactly similar in form to the Grace for the establishment of a Professorship of Botany which had been passed by the Senate in January 1733. It ran as follows: "Cum per mortem Edvardi Danielis Clarke, nuper Professoris Mineralogiæ, munus istud iam vacans existit; Placeat vobis ut alius ad idem munus exequendum a vobis eligatur." It was most clumsily drafted, as it implied that a Professorship of Mineralogy already existed, but it was certainly framed with the intention of establishing the chair, and would be accepted throughout the University as doing so.

Therefore at the time Sedgwick was quite satisfied. He was not, however, hopeful, as both he and the Vice-Chancellor thought that the Grace would probably be vetoed in the Caput. But later he bitterly complained that he had been left uninformed of much that he ought to have been told. He was aggrieved because Dr French had not thought fit to tell him that personally he was not in favour of his own Grace; and there was perhaps some ground for this complaint, as the Grace was more likely to be rejected in the Caput if the Vice-Chancellor was known to dislike it. But Sedgwick was far more angry when he discovered that Dr French had concealed his opinion that as the Grace prescribed no particular mode of election, the Heads might be entitled under the fortieth chapter of the statutes to nominate two candidates for the chair, and thus restrict the Senate's freedom of choice.

Four of the professorships then existing, namely those of music,

<sup>1</sup> W. French, *An Address to the Senate* (1823), p. 7; A. Sedgwick, *A Reply to an Address to the Senate* (1823), p. 3.

<sup>2</sup> W. French, *Observations upon Professor Sedgwick's Reply* (1824), p. vii.

<sup>3</sup> Sedgwick visited the Vice-Chancellor on either 10 or 12 May. A. Sedgwick, *A Reply to an Address to the Senate* (1823), p. 3.

chemistry, anatomy and botany, had been created by the University,<sup>1</sup> and appointments to them had always been made either by Grace or by election without previous nomination by the Heads. This was admitted by all, but it was equally beyond dispute that from 1773, though not before, every election to these chairs had always been sanctioned by a Grace, either general in character or framed for the occasion, which prescribed that it should be “secundum morem in Electione Burgensium receptum”, that is by the Senate without previous nomination by the Heads. It was therefore arguable that the omission of this formula in Dr French’s Grace brought the election to the Professorship of Mineralogy under the fortieth chapter of the statutes.<sup>2</sup>

It would certainly have been better if Dr French had been perfectly frank, and had mentioned that the Heads might claim that his Grace entitled them to nominate the candidates for the professorship, as Sedgwick and many other members of the Senate were totally unaware of such a possibility. He subsequently pleaded in defence of his reticence that he had been unable to consult the Heads collectively, as several of them were absent from Cambridge, and that he had therefore played for time.

“Dr French”, he wrote, “neither intended that his Grace should give the right of election *more Burgensium*, nor did he intend the contrary. Aware that a difference of opinion existed as to the proper mode of election in such cases as this of the Professorship of Mineralogy, he intended . . . simply to ascertain, without prejudice to the claims of any party, whether the Senate were desirous of continuing the office. When a Grace to this effect had passed, he determined, under these circumstances, not to proceed further without the sanction of the Heads. And, accordingly, as soon as there was a majority of the Heads of colleges in the University, Dr French, as Vice-Chancellor, called a meeting for the express purpose of asking their deliberate judgment upon the proper method of proceeding.”<sup>3</sup>

It may, however, be fairly doubted whether Dr French really believed at the time that his Grace left the mode of election quite such an open question as he afterwards claimed that it did. He knew that the Heads

<sup>1</sup> It would be more correct to say that the University believed that it had created four professorships, as in 1827 Sir John Richardson ruled that no permanent Professorships of Anatomy and Botany had been established. See H. Gunning, *Ceremonies observed in the Senate House* (1828), pp. 506–508.

<sup>2</sup> W. French, *An Address to the Senate* (1823), p. 2.

<sup>3</sup> W. French, *An Address to the Senate* (1823), p. 10.

would establish a precedent against themselves by not exercising their right of nomination, and must also have known that they would be very unwilling to do so. It was, moreover, unfair to ask members of the Senate to vote upon the Grace without informing them that it might possibly be interpreted as prescribing a mode of election never hitherto applied to professorships. It is true that it seemed likely that the Grace would be lost in the Caput, and that therefore Dr French might have feared by greater frankness to plunge the University unnecessarily into a controversy, but by avoiding that risk he incurred a more serious one. He was not, however, guilty of the gross deceit with which Sedgwick charged him, for he was under no moral obligation to express his personal opinion, and there is no evidence that he misled Sedgwick. He merely did not enlighten him.

By one of Fate's malicious strokes the Grace got safely through the Caput and was passed by the Senate on 15 May; and as the vast majority of those who voted for it assumed that they would be able freely to choose the new Professor, the situation was extremely dangerous. The Heads, called together by Dr French, unanimously agreed to nominate two candidates, holding that they were entitled to do so by the Grace which the Senate had just approved.<sup>1</sup> There is some reason to think that Dr Webb, Master of Clare, who was a sturdy champion of the rights of his order, was mainly responsible for this challenge to public opinion; and, if so, he certainly chose a most opportune moment to make it. As Henslow was the only candidate in the field, the Heads, who shared the general wish that he should be the new Professor, would be obliged to put up a man of straw to keep him company, and consequently "no violence of personal animosity would be mixed up with the sober and legal discussion of a question of right".<sup>2</sup> Thus only the establishment of a right was sought, and the Heads might in a way claim to be performing a public service by taking a favourable opportunity for the assertion of an authority which they believed that they possessed.

Yet what seemed to them reasonable and opportune was greeted as a gross outrage upon academic liberty. A meeting of protest was held at the Red Lion Hotel on Wednesday, 22 May;<sup>3</sup> and either then or

<sup>1</sup> In his letter to the *Cambridge Chronicle* of 23 May 1823, Sedgwick stated that "the Master of Trinity, on motives most honourable to himself, never took any part in the transaction, and the Masters of Magdalene, Caius, Trinity Hall and Queen's (*sic*) were not in the University when the question of nomination first arose".

<sup>2</sup> W. French, *Observations upon Professor Sedgwick's Reply* (1824), pp. 36-37.

<sup>3</sup> Mrs Stair Douglas, *Life of Whewell* (1881), pp. 76-77.

immediately afterwards it was decided to present a memorial to the Vice-Chancellor. The statements in this memorial that the Heads had never nominated candidates for professorships founded by the University, and that the Senate had passed the Grace without any suspicion that it was intended to depart from this practice, were perfectly correct; but the assertion that the words "a vobis eligatur" in the Grace sufficed "to determine that the election is to be an open one by the Senate" was only the expression of an opinion.<sup>1</sup> To this document seventy-four signatures were appended, and as the total number of resident members of the Senate was not much more than a hundred, it is no exaggeration to say that the University had ranged itself against the Heads. The obligations of courtesy and respect were observed, but war was in the air.<sup>2</sup>

The memorial was presented to the Vice-Chancellor on 24 May, and on the following day was discussed at a meeting of the Heads.<sup>3</sup> It was far too well supported to be disregarded, and as it clearly established that the Senate had been under a misapprehension, the Heads agreed to authorise the Vice-Chancellor to give notice on Monday, 27 May, that on the following day the Senate would be asked to rescind the Grace which had been approved on 15 May.<sup>4</sup> But though this offer seemed conciliatory, and may possibly have been quite sincerely made, it was double-edged. The Grace, objectionable though it was, had at least established a Professorship of Mineralogy, and by repealing it the Senate would lose what they had gained, with very little hope of recapturing it. The Heads were known to be opposed to the creation of new chairs, and as three of them happened to be members of the Caput, a subsequent Grace for the re-establishment of the professorship might well be rejected by that body, and would certainly be so if it provided for an open election.<sup>5</sup> But if it made no such provision, it would unfailingly be lost in the Senate; and from this vicious circle there was no escape. Consequently this attempt to still the troubled waters was quite unavailing; and on Tuesday, 28 May, the repealing Grace was overwhelmingly de-

<sup>1</sup> H. Gunning, *The King v. The Vice-Chancellor of Cambridge* (1824), pp. 2-5.

<sup>2</sup> Edward Christian in his *Explanation of the Law of Elections* (1822), p. 33, mentions that "the whole number who voted for and against the petition against the late Catholic Bill were 66".

<sup>3</sup> W. French, *An Address to the Senate* (1823), p. 11.

<sup>4</sup> *Ibid.*

<sup>5</sup> The Vice-Chancellor and the Masters of Emmanuel and Downing were on the Caput.

feated by forty-three votes to seven. All hope of peace therefore disappeared, and, as the election was due to take place on the next day, the Heads at the same Congregation nominated John Henslow and Francis Lunn as their two candidates.<sup>1</sup>

Both parties agreed that Henslow ought to succeed Clarke; but, as he had been nominated by the Heads, the signatories of the memorial would sanction what they thought a gross usurpation by voting for him. They therefore decided at a meeting on the morning of 29 May to disregard the two nominated candidates and to vote for Thomas Jephson, a Fellow of St John's, who undertook, if elected, to resign whenever called upon to do so.<sup>2</sup> They were well aware that however many votes Jephson received, the validity of his election would be disputed by the Heads, and that this conflict of opinion would almost certainly produce an appeal to the Court of King's Bench; but as they were contending for a principle, they were in a mood to venture on a hazardous enterprise. But they were not burning for a fight; and as legal proceedings were certain to be troublesome, lengthy and expensive, they made an eleventh-hour attempt to avert a conflict. Shortly before the Congregation on 29 May, Professor Christian, who from the outset had laboured for peace, and two of the signatories of the memorial, Professor Haviland and Dr Francis Thackeray, waited upon the Vice-Chancellor and suggested that the election should be postponed for a week, and that in the interval legal opinion should be taken. This was a sensible proposal, and it was courteously and sympathetically received. The Vice-Chancellor explained that time did not allow him to summon a meeting of the Heads; but he undertook to communicate the suggestion to them "as they came to the Vice-Chancellor's table in the Senate House".<sup>3</sup>

The six Heads who attended the Congregation discussed this proposal with the Vice-Chancellor; and agreed that "if no one of the rest of the Senate would bring up a vote, none of them would vote, so the election would be lost that day, and that would give another fortnight for the examination of the subject".<sup>4</sup> It would have been far better if they had consented to the postponement of the election, as the condition for which they stipulated was most unlikely to be observed by every voter. The gleam of hope was, indeed, very transient: Immediately after the

<sup>1</sup> H. Gunning, *The King v. The Vice-Chancellor of Cambridge* (1824), p. 5.

<sup>2</sup> *Ibid.*

<sup>3</sup> E. Christian, *An Explanation of the Law of Elections* (1822), p. 29.   <sup>4</sup> *Ibid.* p. 30.

Bedell had announced that the election had begun, a member of the Senate, possibly unaware that he was letting loose the dogs of war, gave his vote for Henslow, thus releasing the Heads from their conditional pledge.<sup>1</sup> The election proceeded, and as all the votes given for Jephson, which were by far the more numerous, were rejected as invalid, Henslow was declared elected and in due course admitted.<sup>2</sup>

Jephson's supporters consequently appealed to the Court of King's Bench, but wishing to preserve as far as possible the peace of the University, they informed the Vice-Chancellor of their intention to conduct the legal proceedings in a spirit of amity and courtesy.<sup>3</sup> But at best this was only a pious aspiration and unlikely to be realised. Only a speedy victory of the popular party could restrain the rising tide of anger against what was thought to be a selfish and unscrupulous oligarchy. And, unfortunately, the legal proceedings were both lengthy and inconclusive. On 21 June 1822 the Court of King's Bench granted a rule, calling upon the Vice-Chancellor to show cause why a mandamus should not be issued for the admission of Jephson, and ten months later the suit was still being heard. But a few weeks later it was abruptly abandoned. In May 1823 Jephson was accused of a scandalous offence, for which he stood his trial at the Cambridge Assizes in the following July, and though he was acquitted, his character was hopelessly besmirched.<sup>4</sup> It was therefore impossible to continue to press his claim to the chair of mineralogy.

It has been often assumed that Jephson's disgrace deprived the popular party of a resounding victory, but it seems more likely that it saved them from a humiliating defeat. But as they believed in their cause, they were much chagrined by the sorry trick which they thought Fortune had played them; and Adam Sedgwick, who was particularly angry, published in the *Cambridge Chronicle* of 23 May 1823 a lengthy and intemperate letter, in which he bluntly accused Dr French of having tricked him. French replied, and for several months these two academic dignitaries were engaged in a very acrimonious controversy which,

<sup>1</sup> According to a pencil note in the University Library's copy of *An Explanation of the Law of Elections*, the first vote was given by Mr Okes of Caius. Okes had not signed the memorial to the Vice-Chancellor.

<sup>2</sup> E. Christian, *An Explanation of the Law of Elections* (1822), p. 30.

<sup>3</sup> W. French, *An Address to the Senate* (1823), p. 15.

<sup>4</sup> For the proceedings in the Court of King's Bench, see H. Gunning, *The King v. The Vice-Chancellor of Cambridge*: for details about Jephson, see R. F. Scott, *Admissions to St John's College*, Part IV, p. 332.

fortunately, does not call for a detailed description. Sedgwick's mode of warfare certainly does not reflect any honour upon him. He was extremely violent, dogmatic and unfair, giving full vent to an indignation which he was pleased to think righteous. Moreover, even if he had been far more sober and restrained than he actually was, he would still stand convicted of needlessly fanning the flames of hatred. It was not of much moment whether Sedgwick had blundered or French had deceived, and the only important question, namely whether the Heads were acting within their rights in nominating the candidates, could not possibly be decided by a controversy between two highly inflamed and prejudiced partisans.<sup>1</sup>

It, moreover, urgently needed an authoritative answer, for there was a danger of the discord being fed with fresh fuel. Thomas Martyn, the Professor of Botany, was now in his eighty-fifth year; and as his chair had been established by a Grace of the Senate, his death might cause the University to have another Professor with a disputed title. But neither party was prepared to make a move for a settlement: a principle was at stake, and angry passions had been aroused. This was unfortunate, for the Angel of Death did not wait for the return of sanity to the University. In June 1825, when the controversy was still raging, Martyn died. Among the candidates for his vacant chair was Henslow, whose appearance in the field is probably more surprising to later generations than it was to his own. According to his biographer he had always been more attracted by botany than by mineralogy, and though he admitted in after years that when he succeeded Martyn he knew very little about botany, he qualified this self-depreciation by adding that he "probably knew as much of the subject as any other resident in Cambridge".<sup>2</sup> Possibly he was the best equipped of all the candidates; but, if nominated by the Heads, he would again be rejected by a majority of the members of the Senate. Thus he would merely exchange one disputed title for another, and his successor in the chair he vacated would fare no better. Fortunately, however, a way of avoiding a most regrettable repetition of recent history was discovered. In 1793 Thomas Martyn, who had then held for over thirty years the Professorship of Botany

<sup>1</sup> *Cambridge Chronicle*, 23 May 1823; W. French, *An Address to the Senate* (1823); A. Sedgwick, *A Reply to an Address to the Senate* (1823); W. French, *Observations upon Professor Sedgwick's Reply* (1824); A. Sedgwick, *Remarks on the Observations of Dr French* (1824).

<sup>2</sup> L. Jenyns, *Memoir of the Rev. J. S. Henslow* (1862), pp. 29, 35.



which the University had established, was appointed by royal patent "the King's Professor or Reader in Botany at Cambridge" with an annual salary of two hundred pounds, so that henceforth there were two Professorships of Botany, one to which the University appointed, and the other in the gift of the Crown. As only the royal chair was stipendiary, they were clearly intended to be held conjointly; but as there was no statutory bar to their separation, some of the Heads, anxious to prevent another disputed election, proposed that the Crown should be asked to nominate Henslow to the King's Professorship, and that the University Professorship should not be filled up.<sup>1</sup> This most happy suggestion was adopted; and on 10 October 1825 Henslow, having exhibited the royal letters patent to the Vice-Chancellor, was admitted into the King's Professorship of Botany.<sup>2</sup> He, moreover, did not resign the Professorship of Mineralogy, though he ceased to perform its duties; and by this means an extension of the controversy was averted.

This narrow escape from further trouble pointed a moral, and in December 1825 the Senate agreed to refer the question of the mode of election to the Professorships of Mineralogy, Botany and Anatomy to Sir John Richardson, who as a former Judge of the Court of Common Pleas was well qualified to act as an arbitrator.<sup>3</sup> He took his time however, for two years passed before he published his ruling; but his task was not an easy one. He had to hear abundant and very conflicting evidence, and to investigate the many wild and random assertions of the champions of academic liberty. Several years later, when the authority of the Heads was again challenged by a party led by Sedgwick, Sir Edward Alderson, then a Baron of the Exchequer, was reminded of this earlier conflict.

"The real fight, however," he wrote, "is a fight for patronage, and the power of nomination of two persons for various offices under the Elizabethan statutes, possessed by the Heads, has long been an object of cupidity to Sedgwick and others. I fought the battle with them and beat them on a reference

<sup>1</sup> H. Coddington to Whewell (undated), Whewell Papers.

<sup>2</sup> H. Gunning, *Ceremonies observed in the Senate House* (1828), p. 262.

<sup>3</sup> The mode of election to the Professorships of Chemistry and Music, though both chairs had been established by the University, was not in doubt. A Grace passed on 24 October 1793 prescribed that "Electiones Professorum Chemiæ fiant in posterum, secundum morem in Electione Burgensium receptum", and the Professor of Music was appointed by Grace. H. Gunning, *Ceremonies observed in the Senate House* (1828), pp. 268, 270.

to Sir John Richardson, when I was at the bar. I remember then being much shocked by their incorrect and very unscrupulous assertions which were as foolish as they were incorrect, and of course, with so sensible an arbitrator as Richardson, did their cause harm.”<sup>1</sup>

Certainly the popular party was completely discredited by Sir John Richardson’s determination which was read in the Senate House on 11 December 1827. He ruled that

the words “a vobis eligatur” or other equivalent words, used in a Grace submitted to the Senate, are not sufficient to prescribe any particular mode of election, such words being in my judgment equally satisfied by an election made with or without previous nomination, . . . and therefore that in cases where an election is made in pursuance of a Grace so worded, and where no particular mode of election is otherwise prescribed, the mode of election must be governed by the fortieth chapter of the statutes before cited.

He also ruled, much to the general surprise, that whatever the University thought it had done, it had not as a matter of fact founded permanent Professorships of Anatomy, Botany and Mineralogy, and that “no such permanent offices do at this time exist”.<sup>2</sup>

It was a decisive victory for the Heads, but might not have brought peace if Richardson had not ruled that the three professorships, upon which he had been asked to adjudicate, were merely titular. For as it was customary to confer a title by Grace, Henslow’s resignation of what was now a titular Professorship of Mineralogy did not occasion an election for which the Heads would nominate the candidates, thus proclaiming their triumph and embittering their defeated opponents. The new Professor of Mineralogy, who was William Whewell, was appointed by Grace, and thereby a delicate situation was considerably eased.

Throughout this most unhappy controversy the Heads had behaved with great moderation. They cannot be blamed for defending their statutory authority, and they had neither been deaf to overtures for peace nor abused their victory. But Sedgwick and other academic liberals continued to think of them as petty tyrants who must be withstood, and about thirty years later these champions of liberty resumed hostilities. But on this occasion they accused the Heads not of illegally usurping power but of endeavouring to perpetuate it.

<sup>1</sup> Alderson to Whewell (undated), Whewell Papers.

<sup>2</sup> H. Gunning, *Ceremonies observed in the Senate House* (1828), pp. 506–508.

On 7 March 1849 the Senate, in anticipation of a Royal Commission, appointed a syndicate to revise the statutes of the University; and in a report, dated 28 May 1852, this syndicate recommended that the Caput should only be allowed to consider supplicats for degrees, and that all other Graces should come before a new body to be styled the Council of the Senate, which was to consist of the Vice-Chancellor and his predecessor in office, sitting *ex-officio*, and fifteen elected members. Of these fifteen, three were to be appointed by the Heads of Houses, three by the Doctors in the faculties of divinity, law and physic, not being Heads of Houses, three by the Professors, not being Heads or Doctors, and six, three Regents and three Non-Regents, by the colleges in rotation. No single member of this Council was to have a right of veto, but the Vice-Chancellor could only be outvoted by a majority of the whole Council.<sup>1</sup>

These recommendations were warmly commended by the Royal Commissioners, of whom Adam Sedgwick was one. In their report, which was submitted to the Queen in August 1852, they displayed the greatest enthusiasm.

“We cannot hesitate”, they wrote, “to express our pleasure to find such a proposal emanating from the University itself. It has evidently been framed with careful deliberation, and with an especial view as well to preserve a balance of power among the several colleges, as also to prevent the excitements and rivalries of a more popular and unlimited mode of appointment. The suggested scheme has received the unanimous approval of the syndicate; and we hope it may in due time receive the sanction of the Senate.”<sup>2</sup>

If words mean anything, the signatories of this report can only be understood as wholeheartedly approving the recommendations of the syndicate. Their commendation is undiluted by any criticism or qualifying phrase; and of all the members of the syndicate Whewell was probably the most gratified. His point of view as an academic politician was not quite the same as when he had warmly supported the protest against the claim of the Heads to nominate the candidates for the Professorship of Mineralogy. He had then exclaimed “it is hard if Webb and Chafy are to get dominion over us”;<sup>3</sup> but now that he was older,

<sup>1</sup> For a more detailed account, see chapter XI.

<sup>2</sup> *Report of the Royal Commission* (1852), p. 15.

<sup>3</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 76. Webb was Master of Clare, and Chafy was Master of Sidney.

and, what was more, Master of Trinity, he saw in the dominion of the Heads the surest bulwark against violent democratic change. He hated young men in a hurry, and, still more, older men who accepted their lead; and as the report of the Royal Commissioners was likely to be taken as the basis of parliamentary action, he was much relieved to find that it so warmly approved a scheme of government which, though far more liberal than the existing system, at least allowed a sphere of influence to age and rank.

His hope for the future of the University was to a great extent satisfied by the Bill for the appointment of a Statutory Commission, which the Lord Chancellor brought forward in the House of Lords in the spring of 1855.<sup>1</sup> This measure sentenced the Caput to complete extinction, and vested all its powers and functions in a new body, the Council of the Senate, which was to consist of the Chancellor, the Vice-Chancellor, four Heads of Houses who were to be nominated by the Heads and appointed by Grace, four Professors, not being Heads of Houses, who were to be nominated by the Professors and appointed by Grace, and four Regents and four Non-Regents whom the colleges in a prescribed cycle were to nominate, and the Senate to appoint. This was certainly a more representative body than the syndicate for the revision of the statutes had suggested;<sup>2</sup> but the Bill, like the report of the syndicate, provided that the Vice-Chancellor could only be outvoted by a majority of the whole Council, and its advance in a democratic direction was not so marked as to cause alarm in conservative breasts.

Certainly Whewell, who had been made anxious by the Act passed the year before for the appointment of an Oxford Statutory Commission, was very well pleased with the Bill, describing it in a letter to Adam Sedgwick as "a blessing to the University";<sup>3</sup> and other Heads of Houses and academic dignitaries were relieved to discover that it was less revolutionary than they had feared. But those members of the Senate who disliked the power of the Heads were very much aggrieved, and their disappointment was forcibly expressed in an anonymous fly-sheet. The author of this paper not only criticised the composition of the proposed Council as favouring the influence of the Heads, but particularly complained that the Bill neither put an end to the practice of

<sup>1</sup> This Bill was subsequently abandoned, and another carried in the following year.

<sup>2</sup> The syndicate had tilted the balance on the Council in favour of age by allowing Doctors, as well as Heads and Professors, to nominate representatives of their order.

<sup>3</sup> Draft of a letter to Adam Sedgwick, 25 April 1855, Whewell Papers.

the Vice-Chancellor consulting with the other Heads of Houses upon all important University business, nor abolished the statutory right of the Heads to nominate two candidates for the Vice-Chancellorship. He believed, or affected to believe, that this right of nomination enabled the Heads to rule the University through the Vice-Chancellor.

“What is the cause then”, he rhetorically asked, “which has sufficed to subvert our constitution so entirely? Why does the Vice-Chancellor naturally repair for advice to some other council than that statutorily ordained? Because, from the method of his election, he is supposed to be under responsibility to a peculiar class, apart from his responsibilities to the University. And what is this class? The class which exclusively of its own authority appoints him, and the nominee of which he becomes. The cause, therefore, which has operated to the subversion of the constitution is the privilege of nomination, and, especially, of nominating to the Vice-Chancellorship.”<sup>1</sup>

It is of course true that the meetings of the Heads to advise the Vice-Chancellor rested on no statutory basis, and that this long established practice would be unaffected by the Bill before Parliament which merely transferred to the Council “all powers, privileges and functions now possessed or exercised by the Caput”; but it was ludicrously untrue that the Vice-Chancellor only consulted the Heads because they nominated him. In a reply to this fly-sheet Whewell pointed out that as most of the Heads were well acquainted with University business, it was both natural and reasonable that the Vice-Chancellor should seek their advice, and he had no difficulty in showing that the influence which the Heads thereby acquired was very much exaggerated, and that many of the valuable reforms in the University, which had been successfully promoted in the nineteenth century, had proceeded from syndicates appointed by the Senate.<sup>2</sup> Indeed, the remarks of the anonymous author would possibly have not attracted much attention if they had not received support from an influential and very unexpected quarter.

On 23 April 1855 a letter was sent from Cambridge to the Lord Chancellor, signed by four of the ex-Royal Commissioners, Peacock, Herschel, John Romilly and Adam Sedgwick, and by the Secretary to the Commission, William Bateson.

“We, the undersigned members of the late Commission,” it ran, “. . . beg respectfully to state that we have learnt with much regret from the Bill . . .

<sup>1</sup> This fly-sheet is among the Whewell Papers.

<sup>2</sup> Whewell's reply is dated 19 April 1855.

that it is proposed by Her Majesty's Government to grant a much less liberal constitution to our University than that which was enacted by the measure of last Session for the University of Oxford. We apprehend that by the provisions of the Bill . . . very little amendment will be effected in the government of the University as at present actually carried on. It is well known that the government has long been in the hands of the Heads of colleges, and this not from any direct statutable regulation to that effect, but mainly from the power of nomination to certain offices, particularly that of Vice-Chancellor who is nominated by the Heads of colleges according to a well understood rule of rotation. Now the Council, proposed by the Bill, will consist of the Chancellor, the Vice-Chancellor, and of four Heads of colleges to be nominated by the Heads, of four Professors, and of eight members of the Senate to be nominated by the governing members of colleges in a certain cycle. To this Council it is proposed to transfer all functions of the present Caput. But the Caput is not, *de facto*, the council of government at all. It simply has a power of rejecting propositions when they are brought before the Senate, but which are prepared beforehand elsewhere by an entirely different body, the Vice-Chancellor and the other Heads of colleges. A transfer therefore of the functions of the Caput to the new Council will but leave the power of the Heads of colleges as it stands at present. Moreover, of the proposed Council the Heads of colleges will have a controlling influence in the election of thirteen out of the eighteen members, and . . . no member of the Council will be able to carry any proposition against the wish of the Vice-Chancellor, unless there be ten members actually present and concurring in the particular vote. That the Heads of colleges will have the controlling influence is clear when it is considered that the members of the Senate . . . will be nominated by the governing members of colleges, and therefore mainly by the Heads of those colleges. For every Head in his own college, besides other modes of influence, has either an actual or a virtual veto in the transaction of college business. . . . We cannot therefore avoid coming to the conclusion that the provisions of the Bill are seriously defective, in respect both to the extent of power conceded to the new council of government, and also in the method adopted for the choice of its members."<sup>1</sup>

This letter was to a great extent an elaboration of the anonymous fly-sheet, and had the same defects of gross exaggeration and party animus. But these blemishes are of little account in comparison with

<sup>1</sup> A copy of this letter is among the Whewell Papers. It was rumoured that the author of the anonymous fly-sheet was R. A. Woodham, a former Fellow of Jesus, and that he had been assisted by William Bateson. Diary of J. Romilly, 4 May 1855.

the fact that it was signed by four ex-Royal Commissioners who only three years before had appended their names to a report which bestowed unqualified praise upon a scheme of government which was less democratic than that which they now condemned. Moreover, nowhere in that report is there to be found the slightest criticism of the influence which the Heads acquired by the exercise of their right of nomination or by acting as the Vice-Chancellor's advisers.<sup>1</sup> It was of course open to the ex-Commissioners to change their opinions, and if they had frankly confessed that they had done so, they would have cut a more respectable figure. But, unfortunately for their reputation, they asserted that they had only approved the syndicate's scheme as the best obtainable in the circumstances: "it is one thing", they said in their letter, "to express approval of the scheme as emanating from the University itself, which, being a compromise of local opinions, might have been brought into operation without the intervention of Parliament; it is a very different thing to accept the same as the best that could be obtained, now that the powers of the legislature are set in motion for the settlement of the question". But they had not drawn this distinction earlier, though they had been appointed, as Whewell remarked, "to report with a view to Parliamentary action";<sup>2</sup> and one can easily picture Sedgwick's disgust and horror on discovering such a disingenuous argument in the writings of a Jesuit. Greatly to his credit, the Bishop of Chester, who had also been a Commissioner, did not associate himself with his former colleagues in this demonstration.

The Lord Chancellor received this letter on 23 April 1855, and on the following day made an important speech in the House of Lords. After mentioning that Lord Burlington, Lord Monteagle, the Bishop of Chester, Sir Edward Alderson, Professor Sedgwick and Mr John Lefevre had consented to be nominated as Statutory Commissioners,<sup>3</sup>

<sup>1</sup> Bateson, not having been a Commissioner, was of course in no way committed to the opinions expressed in the Report.

<sup>2</sup> W. Whewell, *Remarks on the Proposed Reform of the University of Cambridge* (31 May 1855).

<sup>3</sup> The first draft of the Bill provided for the appointment of seven Commissioners, but had not named them. In a letter of 7 April to Prince Albert, the Chancellor of the University, the Lord Chancellor had suggested fourteen names, but had added that of these fourteen he considered Lord Burlington, Lord Monteagle, the Bishop of Chester, Sir Edward Alderson, Professor Sedgwick, Mr Macaulay, and Sir John Herschel as particularly suitable. Macaulay and Herschel, however, refused to serve; and though Lefevre accepted the place intended for Macaulay, the Lord Chancellor had great difficulty in finding a substitute for Herschel, mainly because he considered

he proceeded to touch upon what had now become the very delicate question of the composition of, and mode of appointment to, the new Council. He emphasised the undesirability of its members being freely elected by the Senate, as in that body Trinity and St John's commanded so many votes,<sup>1</sup> and explained that as he did not desire to give an unfair advantage to these two colleges, he had adopted, with certain modifications, the scheme proposed by the syndicate for revising the statutes of the University and approved by the Royal Commission. He then revealed that, much to his surprise, he had received within the last twenty-four hours a letter signed by four of the Royal Commissioners, "the substance of which was that they did not think that the expressions made use of in the report authorised him in the proceedings he had taken". But as this was not the only criticism of the Bill he had received, and as he himself had detected some other weak spots in it, he moved that it should be allowed to pass through committee *pro forma*, "so as to enable him to introduce into it the improvements which had occurred to him, and others which had been communicated, with the object of making the measure more perfect and of obviating the objections which had been made to it". The motion was carried, and the House went into committee. On the House being resumed, Lord Redesdale reported that "the committee had gone through the Bill, and made some amendments thereto"; and it was thereupon ordered that the "said Bill, as amended, be printed".<sup>2</sup>

The amended Bill shows the concessions which the Lord Chancellor was willing to make to the democratic party in the University. The powers of the Council were enlarged at the expense of the influence of the Heads, for instead of merely having "all powers, privileges and functions now possessed or exercised by the Caput", it was given the right of "considering and preparing all Graces to be offered to the Senate, whether proceeding from individual members of the Senate or it necessary "to have a member of St John's College, in order to avoid occasioning umbrage by having so large a college altogether unrepresented in the Commission". This is why he was only able to name six of the seven Commissioners to the House of Lords on 24 April. He eventually secured the services of John Cowling, the deputy High Steward, who was a member of St John's College. Lord Cranworth to Prince Albert, 7 April and 4 May 1855, Royal Archives, Windsor Castle.

<sup>1</sup> Trinity and St John's together accounted for one-third of the members of the Senate.

<sup>2</sup> *Hansard Parliamentary Debates*, 3rd Series, vol. CXXXVI, 24 April 1855; *Journals of the House of Lords*, 24 April 1855. Copies of the Bill in its original and amended forms are in the Cam Collection, University Library.



from syndicates"; and the influence of the Vice-Chancellor in the Council was weakened by a provision that a question, on which he was outvoted by less than a majority of the whole body, could be carried against him at the next meeting "by a majority of the members of the Council then present". Also the Regent and Non-Regent members of the Council were not to be chosen by the Governing Body of the college whose turn it was to nominate, but by all persons on the books of the college who were members of the Senate and either Fellows or resident within one and a half miles of Great St Mary's Church. There could not therefore be any question of the Master practically making the appointment.

The Lord Chancellor believed that the changes he had made would satisfy the democratic party in Cambridge; and he was supported in this opinion by Dr Philpott, the Master of St Catharine's, who enjoyed both the confidence of the University and of its Chancellor, Prince Albert.<sup>1</sup> He was therefore disappointed when in May the four ex-Commissioners and Bateson, in a letter to Lord Palmerston, expressed their dissatisfaction with the amended Bill. They complained that as the Council was only empowered to consider and prepare Graces, it could not take the place of the Heads of Houses as an advisory body to the Vice-Chancellor, and another of their grievances was that the Bill did not deprive the Heads of their right to nominate the candidates for the Vice-Chancellorship and other offices, and to interpret the statutes. "The Heads of Colleges", they asserted, "will continue to possess under the present Bill all those powers and privileges which under the statutes of Queen Elizabeth have enabled them to become the actual governors of the University." They also objected to the appointment of the Regent and Non-Regent members of the Council by the colleges, as too narrowly restricting the field of selection, and pointed out that the danger of the smaller colleges being swamped by Trinity and St John's, if the Senate elected, could be overcome by confining the right of voting to resident members of the Senate, who numbered about two hundred and fifty, and of whom no more than sixty belonged to either Trinity or St John's. This was, indeed, a valuable suggestion, as were also some others which they made for the reform of college statutes; but their main object was to destroy the power of the Heads.<sup>2</sup>

<sup>1</sup> Lord Cranworth to Prince Albert, 4 May 1855, Royal Archives, Windsor Castle.

<sup>2</sup> A copy of this letter is among the Whewell Papers. Dr Philpott calculated the number of resident members of the Senate as roughly between two hundred and ten

They were too obsessed with this design to realise that they were convicting themselves of a dereliction of duty. The evils, of which they now complained so bitterly, had existed when they had served as Commissioners, and yet in their report to the Crown they omitted to draw attention to them. They were also guilty of gross exaggeration. Whatever had happened in a distant past, the Heads had very rarely abused their right of nomination within living memory;<sup>1</sup> and, as Whewell pointed out, "the last case in which the power of interpretation was exercised was twenty years ago; and... it was then used to decide the question whether a resumed Regency qualified a person for the Regent's place in the Caput".<sup>2</sup> Further, George Peacock, one of the signatories of these letters, had remarked in his *Observations on the Statutes of the University*, which was published in 1841, that "the Heads of Houses are the assessors and administrative counsellors of the Vice-Chancellor, and possess many other privileges, . . . and there seems no sufficient reason for proposing any material change in the rights which they now enjoy. There is in fact no other body of men in the University with whom the exercise of such powers could be so safely and advantageously lodged."<sup>3</sup> Of his own free will, and not like the Frankish King at the command of an Archbishop, Peacock was apparently ready to burn that which he had formerly adored.

The ex-Commissioners were, indeed, living in the past, and therefore failed to perceive much of the promise of the present. They did not understand that the Vice-Chancellor would in future look for guidance to the Council, whatever its legal functions might be, and not to the Heads, upon whom, hitherto, he had been obliged to depend because the Caput was a small and unrepresentative body of fluctuating composition, and therefore totally unfit to act in an advisory capacity. They

and two hundred and thirty, and that about seventy or eighty of them were members of either Trinity or St John's. Lord Cranworth to Prince Albert, 21 May 1855, Royal Archives, Windsor Castle.

<sup>1</sup> In 1834, and the two following years, the Heads violated a convention of the University by not nominating Dr Lamb, Master of Corpus, as one of the two candidates for the Vice-Chancellorship; and there is no doubt that his exclusion was due to his support of the movement for the admission of Dissenters to degrees. It must in fairness, however, be remembered that party feeling in the University was then running very high. C. H. Cooper, *Annals*, vol. iv, pp. 587-588; Diary of J. Romilly, 8 November 1835, 3 November 1836.

<sup>2</sup> W. Whewell, *Remarks on the Proposed Reform of the University of Cambridge*, 31 May 1855.

<sup>3</sup> G. Peacock, *Observations on the Statutes of the University* (1841), p. 143.

were, however, on the crest of a wave of popular support. The two Proctors invited members of the Senate to a meeting in the Arts Schools on 7 May for a discussion of the Bill; and about a hundred persons, though not a single Head of a House, attended it. The proceedings began by the Senior Proctor reading a petition to Parliament, which condemned the Bill as failing to establish a free constitution, and requested that "the functions now statutablely or otherwise exercised by the Heads of colleges" should be transferred to the Council. Speakers did not mince their language. The Regius Professor of Greek, W. H. Thompson, expressed the opinion that the right of interpreting the statutes must be taken away from the Heads, and another speaker declared that it was of the utmost importance to make sure that there was not a stronger body behind the Council. It was agreed to circulate the petition for signatures, and when it was presented to the House of Lords on 15 May over one hundred and twenty names were attached to it.<sup>1</sup> Moreover, about the same time, another petition was circulated, which asked "that the representatives of the Senate in the Council may be appointed, not as the Bill provides (Clause 6) by the colleges in turn, but by an open election, in which all resident members of the Senate may have votes, with the proviso that not more than two members, so elected, should belong to the same college."<sup>2</sup>

The Lord Chancellor did not take this outcry lightly. He was of the opinion that though he might be able to push the Bill through the House of Lords in its present form, it would be lost in the House of Commons, unless it provided for the election of the Regent and Non-Regent members of the Council by the Senate. "Probably", he wrote to the Prince, "Mr Macaulay would strongly advocate the elective system—and against such advocacy, supported by the strongly expressed opinions of Sir John Romilly, the Dean of Ely,<sup>3</sup> Professor Sedgwick and Sir John Herschel, it would have been almost hopeless to offer resistance."<sup>4</sup> But he was not solely influenced by fear of what might happen in the House of Commons, for he always held that the Bill

<sup>1</sup> *Cambridge Chronicle*, 12 and 19 May 1855. Among the signatories were W. H. Thompson, Joseph Romilly, the Registrar of the University, and Joseph Lightfoot, then a Junior Fellow of Trinity.

<sup>2</sup> Dr Philpott to General Grey, 19 May 1855, Royal Archives, Windsor Castle. Among the Whewell Papers there is an undated fly-sheet, signed by thirty members of the Senate, urging that the petition should be supported.

<sup>3</sup> George Peacock.

<sup>4</sup> Lord Cranworth to Prince Albert, 21 May 1855, Royal Archives, Windsor Castle.

“should be considered to be, and should in fact be, a measure originating in all material points from the University itself, and not one forced upon it against its inclinations”.<sup>1</sup> He therefore persuaded Lord Lyndhurst and Lord Monteagle, both of whom were in favour of preserving as far as possible the influence of the Heads, to meet Dr Philpott, who had taken a very active part in drafting the Bill,<sup>2</sup> and William Bateson, who was most bitterly opposed to it, “in order that we might talk the matter over”.<sup>3</sup> At this conference, which took place on 17 May, it was unanimously agreed, as the Lord Chancellor reported,

that the safest and best course, for the interest of the University, would be to give up the proposed plan of nomination by cycle, and to have recourse to an election by residents, so far as relates to the members of Council not being Heads of colleges or Professors. The real objection to such a course is the great preponderance which Trinity College and St John’s College may exercise in the elections. I propose to guard against this, as far as possible, by a proviso that there shall never be more than two elected members of the Council from any one college—and with this clause I trust and believe the smaller colleges will be satisfied.<sup>4</sup>

Bateson had, however, not obtained from this conference all that he desired. He had pressed that the Heads should be deprived of their right of nomination;<sup>5</sup> but Lord Cranworth very reasonably refused to make this concession:

“No such recommendation”, he informed Prince Albert, “is contained or even hinted at in the report of the Commissioners. The present mode of appointment is fixed by the Elizabethan statutes—and if it be found to be ill adapted to the wants of the University, it may be altered by the Crown on application from the Senate. Or it may be varied under the provisions of the

<sup>1</sup> *Ibid.*

<sup>2</sup> On 30 March Lord Cranworth informed Prince Albert that he had requested Dr Philpott “to come up to Town, in order that I might have the benefit of conversing with him on the subject of the proposed Bill for regulating the University of Cambridge”; and a few days after the Bill had been laid upon the table of the House of Lords, he told the Prince that it was “the same, with some very trifling exceptions, as that which Dr Philpott had framed from the Oxford Act of last year”. Lord Cranworth to Prince Albert, 30 March and 7 April 1855, Royal Archives, Windsor Castle.

<sup>3</sup> Lord Cranworth to Prince Albert, 21 May 1855, Royal Archives, Windsor Castle.

<sup>4</sup> *Ibid.*

<sup>5</sup> Bateson informed Romilly that he told “the Chancellor very distinctly his view about the Council and about nomination by the Heads”. Diary of J. Romilly, 21 May 1855.

present Bill by the Commissioners when their functions come into operation. It would be a rash course for the legislature to make such a change as is desired, in the face of the report which not only does not recommend it but actually expresses approbation of the present system."<sup>1</sup>

Thus the only important change made in the Bill concerned the mode of appointing those members of the Council who were not Heads of Houses or Professors, and, thus amended, it was given a third reading in the House of Lords on 14 June, and then sent to the House of Commons.<sup>2</sup> But much time had been wasted, and the Session was drawing to an end; and though the Bill was read for the first time in the House of Commons on 15 June, pressure of other business prevented it from being read again, and on 7 August it was withdrawn.<sup>3</sup>

The Government of course brought forward a new Bill in the following Session; but those who had the welfare of the University at heart were much disappointed by the delay. In a letter to General Grey, Prince Albert's private secretary, Dr Philpott in May 1855 had remarked that "the main point of interest seems now to be that legislation for the University should not be delayed beyond the present Session, for the excitement created, while legislation is impending, is fatal to the progress of our own proper studies and business";<sup>4</sup> and he certainly did not exaggerate. The controversy which had raged in Cambridge over the Bill had been unusually bitter, and had been fanned by the London newspapers, particularly *The Times* which had constituted itself a champion of academic liberty. The Heads were represented as tyrants, against whom almost any measures were justified. One pamphleteer, for instance, had urged that they should have no more authority in the University than what appertained to their academic standing;<sup>5</sup> and another had suggested that their monopoly of the office of Vice-Chancellor should be brought to an end.<sup>6</sup> Whewell greatly lamented, as he told his wife, "the democratic frenzy which prevails in the University";<sup>7</sup> but he was even more irritated than pained. Not content

<sup>1</sup> Lord Cranworth to Prince Albert, 21 May 1855, Royal Archives, Windsor Castle.

<sup>2</sup> *Journals of the House of Lords*, 14 June 1855.

<sup>3</sup> *Journals of the House of Commons*, 15 June, 7 August 1855.

<sup>4</sup> Dr Philpott to General Grey, 19 May 1855, Royal Archives, Windsor Castle.

<sup>5</sup> *The Cambridge Senate before Whitgift's Statutes, and the University Bill of 1855*. This pamphlet was anonymous, but Romilly suspected that it was written by Joseph Edleston, the Senior Proctor and Fellow of Trinity. *Diary of J. Romilly*, 7 June 1855.

<sup>6</sup> An undated fly-sheet among the Whewell Papers.

<sup>7</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 440.

with publishing many pamphlets, he took the opportunity of a Feast at Christ's on 26 May to make "an intemperate harangue against those who were breaking down time-sanctioned authority, etc., palpably directed against Bateson".<sup>1</sup>

He was particularly angry with the four Royal Commissioners who had signed the two letters to the Lord Chancellor and Palmerston; and in a pamphlet, printed for private circulation about the middle of May, held them up to the scorn of all honest men.<sup>2</sup> He emphasised their warm approval of the syndicate's scheme for the composition and appointment of the Council, and asserted with undeniable truth that

if any one had then said that the Commissioners, in thus expressing pleasure at this scheme, in thus praising the care and consideration with which it had been constructed, in thus hoping that it might be sanctioned by the Senate, in thus speaking of the excitements and rivalries of a more popular and unlimited mode of appointment—did, nevertheless, entertain the opinion that the scheme was a very bad one, that Parliament, in interfering with Cambridge, ought to make a very different scheme, . . . he would have been deemed, I think, not only suspicious but calumnious, and I believe with justice.

He further pointed out that the Commissioners must have known that their praise was accepted by the University as honest and unqualified, and yet "they never, so far as I am aware, in conversation or in any other way, attempted to remove such impression, even when the occasion made such explanation most necessary".

Adam Sedgwick, to whom Whewell sent a copy of this pamphlet, was provoked to great anger by it, for its accusation of mental reservation was directed against himself. Before consenting to be nominated as a Statutory Commissioner, he had consulted Whewell, who had pressed him to accept the invitation. There is no shadow of doubt that Whewell gave this advice because he assumed, as he was perfectly justified in doing, that Sedgwick's views on the government of the University were those expressed in the report, and were therefore satisfactory from Whewell's point of view. Consequently, the clause "even when the occasion made such explanation most necessary" had a personal application and a very nasty one.

<sup>1</sup> Diary of J. Romilly, 26 May 1855.

<sup>2</sup> The pamphlet is dated 11 May 1855, and is in the Trinity College Library.

“Time hath his revolution”, as Chief Justice Crewe remarked; and Sedgwick was now in the dock on the same charge of deceit as he had, many years before, brought against Dr French. He could not plead that he had changed his mind since his interview with Whewell, as in their first letter to the Lord Chancellor the four Commissioners had declared that they had only approved the scheme of the syndicate as the best that could be obtained without the intervention of Parliament; and, having no defence, he was furious. He was not, however, taken by surprise, for Whewell had previously written to him, complaining of his conduct.<sup>1</sup> Sedgwick had, very wisely, not replied to this rebuke, but its repetition in a pamphlet forced him to break his silence.

“I have this morning”, he wrote to Whewell on 19 May, “received your printed letter, dated May 11th, and I thank you for it. I presume that the underlined passage on page 3<sup>2</sup> refers to your former letter to myself, to which I made no reply. That letter appeared to me an . . . oburgation for what I had done, and something bordering on dictation as to the course I ought to take; and as I did not think it at all likely that we should agree, I thought it best to say nothing, lest what I said should provoke angry controversy. . . . Your pamphlet convinces me that I was quite right. For you talk of the contagion of democratic fervor as the cause of a change of opinion on part of the Commission (at least, so I understand your meaning), while I will venture to tell you that your own fervor misleads you, and there is no change of opinion, on the part at least of those with whom I have conversed or had communication. But I will not discuss a single point with you; especially after the kind of language you have used at the bottom of page 2.<sup>3</sup> But be well assured that I am not one of those . . . to be driven from their sense of right by strong language such as I see in your letter. The Commissioners have not changed their minds nor their general view of expediency.”<sup>4</sup>

This was a truly pitiable performance, and all the more contemptible because of its bombastic tone. If Sedgwick was not prepared to discuss a single point with Whewell, no useful purpose was served by writing to him; and the assertion that the Commissioners had not changed their

<sup>1</sup> Whewell repeats the substance of this letter in the draft of his reply to Sedgwick, dated 21 May 1855.

<sup>2</sup> The passage “It is impossible that the Commissioners could fail to know that their language produced this impression; and they never, so far as I am aware, in conversation”, etc., as quoted above.

<sup>3</sup> The passage quoted above, beginning, “If any one had then said”.

<sup>4</sup> Sedgwick to Whewell, 19 May 1855, Whewell Papers.

opinions was no refutation of the charge that they had used very misleading language in their report, and must have known that it was misleading. Whewell did not miss the opportunity for a crushing retort.

"There can be no question", he replied on 21 May, "that the letter<sup>1</sup> is a direct contradiction of the report.... The report approved the University scheme of a Council, and could not by any possibility be understood except as wishing that it should be carried into effect. Those who signed it knew that it was so understood, and that the University had been acting upon this understanding. The writers held an opposite opinion which I could not possibly know till I had seen the letter. When I was consulted, I had not, nor could I have, the remotest suspicion that the ex-Commissioners were going to take such a step. Thus I was misled. You cannot complain of this as strong language; it is the simplest I can find, but the facts are strong."<sup>2</sup>

The facts, indeed, seemed to Whewell sufficiently strong to justify him in saying in the course of his letter "when you consulted me, you misled me"; and this concise formulation of the charge was fuel to Sedgwick's fury. Addressing Whewell by name and not by his title, he explained that he was writing to him "not as Master of Trinity, but as a friend of nearly forty years standing; and whether I am ever again to address you under the same character will depend upon your reply". With this menace he prefaces his demand for a retraction of the words "when you consulted me, you misled me"; but when he attempted to justify that demand, he came most woefully to grief.

"When I called on you", he wrote, "I knew nothing about the drift of the intended Bill or about the line I should take respecting it. It appeared to have been drawn by someone who knew little of the constitution of our University.<sup>3</sup> I consulted you not at all about points of opinion: . . . my object in consulting you was to ask you whether one, who during the two past years has hardly discharged a single public duty in consequence of bodily infirmity, could consistently accept the office proposed by the Lord Chancellor. . . . The same morning that I called on you, I called on Bateson and talked with him about the labours and duties of the Commission (and not about the drift of the Bill, of which I literally knew almost nothing). He knew that day after day, when the former Commission sat at the Treasury, I was torpid and

<sup>1</sup> The letter to the Lord Chancellor.

<sup>2</sup> Whewell to Sedgwick (draft), 21 May 1855, Whewell Papers.

<sup>3</sup> Sedgwick wisely did not attempt to justify this remark, which was not true. Dr Philpott, who was very largely responsible for the Bill, had a very good knowledge of the constitution of the University, and knew far more about it than Sedgwick.



worthless from suppressed gout and loss of sleep. You, it seems, knew more about the intended Bill than I did, and you imagined that by calling on you I pledged myself to opinions and actions which I was not most remotely contemplating. Therefore I did not intentionally mislead you when I called on you. The sentence I have quoted implies that I did wilfully mislead you. I hereby call on you to retract that implication."<sup>1</sup>

Throughout this letter Sedgwick sedulously avoided the real issue. The question of his health, with which he was apt to be much pre-occupied, was quite irrelevant to the controversy; and Whewell had never imagined, and had never said, that by seeking his advice Sedgwick had pledged himself to "opinions and actions which I was not most remotely contemplating". He accused Sedgwick of having failed to inform him that the Commissioners' approval of the recommendations of the syndicate had been given with a mental reservation, and that accusation had not been met. Therefore Whewell did not withdraw it.

"I did not think", he replied, "that you wilfully misled me when you called upon me and consulted me; for I thought, rightly or not, that you had changed your opinions *after* you consulted me. The difference of opinion of the report and of the letter seemed to me so great that I believed that those who drew up the report must have altered their minds entirely before they signed the letter. This is all I need say at present. I will not say what I should call the report if those who signed it held then the opinions which they now express."<sup>2</sup>

As Sedgwick maintained that he had not changed his opinions, this letter cannot be reasonably interpreted as a retractation.

Sedgwick, however, accepted it as such; but, very foolishly, demanded an apology.

"You acquit me (in your last note)", he replied, "of intentionally misleading you. So far it is well. But that acknowledgment by no means appears to explain or justify the terms in which you wrote to me in your former letter. You have committed, I think, a very grave offence against the invaluable courtesies and charities of life; and you do not condescend to make any apology for it."<sup>3</sup>

But that apology, very properly, was not given; and Sedgwick nursed his wrath for many months. When in the following August he went to

<sup>1</sup> Sedgwick to Whewell, Whewell Papers. The date of this letter is difficult to decipher, but it must have been written on 22 or 23 May.

<sup>2</sup> Whewell to Sedgwick (draft), 24 May 1855, Whewell Papers.

<sup>3</sup> Sedgwick to Whewell, 26 May 1855, Whewell Papers.

Lowestoft, where Whewell had a house, he pointedly stayed at an hotel: "he won't visit Whewell", reported Romilly, "till he apologises for his letter to him".<sup>1</sup>

Sedgwick had certainly not been fortunate as the champion of freedom against the Heads; but he was never at his best when engaged in controversy. But there was another and a far more attractive side of his character. He was deservedly very popular, being a warm-hearted, generous man; and his services to geology as Woodwardian Professor are still remembered in the University. But he was aggressive, dogmatic and too ready to think of himself as battling against the forces of evil and darkness. The power which the Heads possessed under the Elizabethan statutes could undoubtedly be reduced without endangering stability of government; but they were not the tyrants that Sedgwick and his friends represented them to be. It was well that they were shorn of power which was not in keeping with a democratic age; but they had not seriously misused it in the nineteenth century, and their evil reputation was to a great extent the creation of their enemies.

<sup>1</sup> Diary of J. Romilly, 11 August 1855.

## Chapter V

### CHRISTOPHER WORDSWORTH, MASTER OF TRINITY

WHEN in the summer of 1820 Christopher Wordsworth, a former Fellow of Trinity, returned to his college as its Master, he was a stranger to many members of the society over which he came to rule. For sixteen years he had been away from Cambridge, and therefore to the younger Fellows he was only a name, and, perhaps, not even that.<sup>1</sup> He had, however, no reason to fear that he would not be warmly welcomed, for he was a Trinity man and a scholar of some reputation. Yet he was not free from anxiety and misgivings. Though only forty-six years old, he believed that his health had been broken by his labours as a clergyman and that it would not be long before he entered into a greater rest than can be found in Trinity Lodge. "If you were to look", he wrote to Whewell twenty-five years later, "at my signature in the Register Book on the day of my admission as Master, you would see it is much more like the hand of a man signing his will *in extremis*, than of one who was at all in fit condition to undertake two such offices at once in my additional circumstances of novelty and inexperience."<sup>2</sup>

But the change of life seems to have reinvigorated him, for during the early years of his mastership he was extremely active. Shortly after entering upon his new duties he was dismayed to discover that of the three hundred and fifty-four Fellows, Bachelors and undergraduates in commons, only about one hundred resided in college,<sup>3</sup> and that therefore a very large number of the junior members were living in lodgings. As he was convinced that the growing practice of undergraduates being

<sup>1</sup> "We are of course expecting his appearance with considerable interest", wrote Whewell of Wordsworth on 2 July 1820. "He is a member of the college, but has been absent so long that he will be new to all junior members." Mrs Stair Douglas, *Life of Whewell* (1881), p. 59.

<sup>2</sup> C. Wordsworth to W. Whewell, 16 July 1845, Whewell Papers. The other office was of course the Vice-Chancellorship.

<sup>3</sup> Draft of Wordsworth's speech at the Seniority meeting on 25 June 1822, Trinity College Documents, Box 29, C. I. b. He may have based his calculations upon the number in residence in the Michaelmas term, which was always larger than in other terms, owing to the period of residence required for the degree of Bachelor of Arts being ten terms.

accommodated in lodgings in the town was most detrimental to discipline, he decided to press for an extension of the college buildings. He might expect to receive a certain amount of support, for his dislike of lodging houses was very generally shared. Though there was less open disorder than in the past, there was a widespread suspicion that behind a more decorous exterior graver evils than rioting and street fighting were concealed. Intoxication and sexual offences were believed to be distressingly common, and with the object of checking these vicious habits, the Senate in April 1818 had passed a Grace for the annual appointment of two Pro-Proctors to assist in the enforcement of discipline.<sup>1</sup> And other steps had also been taken. The increase in the number of undergraduates, which had occurred since the end of the Napoleonic Wars, and the impossibility of accommodating them all within the colleges, compelled the University to consider whether it exercised adequate control over the numerous lodging houses in which students resided. It was alleged that to live out of college meant freedom to indulge in drunken orgies and to frequent haunts of vice without fear of discovery, and much was said about the temptations to which young men were subjected by servant girls with few restrictive prejudices. There was doubtless much exaggeration, but the indictment had a foundation of truth.

A very unhappy incident in the Lent term of 1818 was thought to prove that the discipline of the University was being rapidly undermined by the lodging-house system. On the evening of 5 February Lawrence Dundas, an undergraduate of Trinity, dined with some friends at a lodging house in Bridge Street, and on his way home, being very drunk, fell into a ditch, from which he vainly endeavoured to extricate himself. Frenzied with drink, and perhaps hoping to gain greater freedom of movement, he divested himself of most of his clothes, and as the night was cold, he was found on the following morning dead where he had fallen, having perished from exposure. The moral was driven home by the verdict of the Coroner's jury, which stated that "the said Lawrence Dundas . . . came by his death in consequence of being exposed all night to the severity of the weather in a naked state in a wet ditch, and that it was the fatal and melancholy result of having been intoxicated"; and still greater publicity was given to this most unsavoury tragedy by an eccentric and unbalanced evangelical clergyman named Maberly,

<sup>1</sup> H. Gunning, *Ceremonies* (1828), pp. 23-26. Previously, Pro-Proctors or Assistant Proctors had been occasionally appointed.

who published a pamphlet in which he asserted that the lax discipline of the University was responsible for the young man's death, and that dissipation and licentiousness would remain unchecked as long as undergraduates were allowed to live in lodgings.<sup>1</sup> Maberly used the most extravagant language and was clearly a fanatic, but a very severe critic of his pamphlet conceded that lodging houses were an evil which must unfortunately be endured, owing to the increase in the number of undergraduates.<sup>2</sup>

Before, however, Maberly's pamphlet had appeared, the lodging-house problem had been discussed by a tutorial committee; and on the advice of this body the Heads of Houses in March 1818 issued revised and more stringent regulations. No lodging-house keeper was to be licensed to receive lodgers *in statu pupillari* until he had pledged himself to obey certain rules, of which the most important were that he should inform the college authorities if any of his lodgers came in after ten o'clock or were absent the whole night, and that he should not "supply or receive into his house a dinner for any lodger without a note previously obtained from the Tutor". Also Tutors were directed to pay occasional visits to the houses where their pupils lodged, and to make searching enquiries about the servants employed in them.<sup>3</sup>

It was questionable, however, whether these regulations, or any that might be devised, could be strictly enforced, as there was a danger, though how great it is impossible to determine, of landlords being bribed to connive at irregularities. Yet though few denied that the discipline of the University would be better if all, or nearly all, undergraduates were housed in the colleges, there was a natural objection to embarking upon expensive building schemes. And as the arguments in favour of doing nothing always appear to be strong, Wordsworth, though he had a good case and knew that he could count upon a certain amount of sympathy, was quite aware that it would not be easy to persuade his Fellows to build. He saw, however, the path of duty clear before him, and on 14 December 1820 he asked the Seniors to consider "the expediency of making an increase of chambers, in consequence of the great increase of admissions, and with a further view of bringing the students to reside wholly within the walls of the college".<sup>4</sup>

<sup>1</sup> F. H. Maberly, *The melancholy and awful death of Lawrence Dundas, Esq.* (1818).

<sup>2</sup> M. Lawson, *Strictures on the Rev. F. H. Maberley's (sic) Account* (1818).

<sup>3</sup> University Papers, University Library, C.H. 101.

<sup>4</sup> Trinity College Conclusion Book.

He had the proverbial luck of beginners. The Seniority agreed to have a ground plan made of the site of the college, and to appoint a small committee to consider and report upon a building scheme.<sup>1</sup> In the following February the committee reported that the ground, upon which the New Court of Trinity now stands, was the most suitable site for new buildings,<sup>2</sup> and recommended that the total number of sets of rooms in college should be increased from one hundred and twenty to about two hundred and eighty, so that "none should be in lodgings in the town for any longer time than the first term".<sup>3</sup> The report was approved, and on 9 March 1821 the Master and Seniors agreed to ask William Wilkins, the well-known architect, to submit plans for a building containing about one hundred and sixty sets.<sup>4</sup> Wilkins lost no time in presenting plans, and on 9 June the Seniority agreed to request him to prepare a specification and estimate, "with a view of ascertaining the probable expense".<sup>5</sup>

So far, everything had gone very smoothly, and Wordsworth may well have hoped that building operations would soon begin. He discovered, however, that the opposition had been biding their time. At a meeting of the Seniority on 29 December 1821, which had been summoned to consider Wilkins's specification and estimate, James Lambert, who had been Senior Bursar, produced a written statement of arguments against immediate action. He urged the folly of venturing upon an extensive building enterprise when there was a great danger of the revenue of the college being adversely affected by the prevailing agricultural depression and by a serious fall in the number of its undergraduates on account of the growing cost of a University education. He further urged that to build on the site selected would injure the beauty of the college, inconvenience the Fellows by destroying the brewhouse and stables, and violate a provision of an agreement made in 1681 with Dr Humphrey Babington when he undertook to complete the south side of Nevile's Court.<sup>6</sup> After Lambert had read his paper,

<sup>1</sup> Trinity College Conclusion Book, 14 December 1820.

<sup>2</sup> The Committee mentioned the Bowling Green as a possible site, but, fortunately, considered it less suitable.

<sup>3</sup> Trinity College Documents, Box 29, C. I. b; Willis and Clark, *Architectural History of the University of Cambridge*, vol. II, pp. 651-652.

<sup>4</sup> Trinity College Conclusion Book.

<sup>5</sup> *Ibid.*

<sup>6</sup> The provision was as follows: "And whereas the said Master, Fellowes and Scholars. . . Have granted to lay to the said four arches of building, to bee raised as aforesaid by the said Humphrey Babington, a certain peece of ground for a garden lyeing in

there was a heated discussion which lasted for four hours, and although Wordsworth had intended to move that the specification and estimate should be approved, he refrained from doing so, having gathered from the debate that he would be defeated by five votes to four.<sup>1</sup>

He was probably much chagrined by this rebuff; and as fabian tactics were not to his taste, he returned to the subject when the Seniors met on 25 June 1822. He made on this occasion a lengthy and impassioned speech, in which he enlarged upon the deplorable dissipation of undergraduates, and the extent to which it was encouraged by lodging-house keepers;<sup>2</sup> but his eloquence failed to convince. Four of the Seniors voted for his motion and four against it; and, although with the Master's vote this gave a majority of five to four in favour, the motion was, nevertheless, correctly held to have been lost.<sup>3</sup> The sixth chapter of the college statutes provided that "nihil vel intra Collegium vel extra aut extruendum aut reficiendum curent, nisi de Magistri, aut, eo absente Vicemagistri, et majoris partis octo Seniorum sententia"; and one of the Seniors quickly pointed out the simple arithmetical truth that four is not the greater part of eight.

Though again disappointed, Wordsworth was not prepared to abandon his building scheme. He still cherished a hope of ultimate victory, and the hope was not unreasonable. If a Senior left Cambridge or was incapacitated by illness, he had to nominate a vicarius or deputy; and as Seniors were frequently absent or ailing, the composition of the Board was rarely the same for two successive meetings. Consequently, a rejected proposal might be subsequently carried, and, if Wordsworth was prepared to wait for a favourable occasion, he might yet be successful. He sustained this trial of his patience, for it was not until 17 May 1823 that he asked the Seniors again to consider the much debated project. He had good reason to think that the time had come to return to the attack: his antagonist, James Lambert, who had recently

part on the backside of the same building, to bee freely used and enjoyed forever with the same, and to bee alwayes a part thereof." If a court was erected on the proposed site, the garden would probably be sacrificed. Willis and Clark, *Architectural History of the University of Cambridge*, vol. II, p. 523.

<sup>1</sup> Trinity College Documents, Box 29, C. I. b.

<sup>2</sup> *Ibid.*

<sup>3</sup> Trinity College Documents, Box 29, C. I. b; Wordsworth's *R.B. Books*, vol. III, pp. 61-63. On the fly-leaf of each of these three volumes R.B. is written, which may possibly stand for Record Book. They contain notes and jottings by Wordsworth on college business and are of considerable interest. He probably handed them over to his successor in the mastership, Whewell, and they are kept in the Master of Trinity's Lodge.

died, had been succeeded on the Board by Thomas Carr, who was in favour of building, as was also another recently elected Senior, G. A. Browne.<sup>1</sup> Yet, though he carried his motion after it had been slightly modified, the margin of victory was extremely narrow, as two Seniors and one vicarius were in the minority. One more adverse vote and the motion would have been lost.<sup>2</sup>

From this point progress was smooth; and when in response to an appeal, George IV gave a donation of one thousand pounds, the college asked and obtained permission to name the new building the King's Court.<sup>3</sup> As a further mark of gratitude for the royal bounty, the first stone was laid on the King's birthday, 12 August 1823, with great pomp and ceremony. In the early afternoon of that day the Vice-Chancellor and a large company of Doctors and Masters of Arts gathered in the Senate House, and after doing justice to the fruit and wine provided, they marched in procession to the Trinity Great Gate, where they were met by the Master, Fellows and all the members of the college in residence. "A band of music," we learn, "stationed within the Gate, instantly struck up *God save the King*, and the collegiate procession having advanced, the academic body joined the train." In this order they proceeded to the site of the new building; and after the delivery of a Latin oration by James Scholefield, a Fellow of the college, and an English oration by the Speaker of the House of Commons, who represented the King, the first stone was truly laid by the Speaker, while the band played *Rule Britannia*. Then a prayer having been offered by the Master, an anthem sung by the choir, and the Benediction pronounced by the Vice-Chancellor, "the ceremony concluded with the national anthem, . . . in which the assembled multitude joined, following it by hearty cheers".<sup>4</sup>

A Feast in the Hall followed, and as the guests were too many to permit the usual adjournment to the Combination Room, the Bachelors of Arts and undergraduates had hoped to be allowed to remain in Hall after the last Grace had been said. But they were forbidden to do so, apparently because it was thought undesirable that persons *in statu pupillari* should see academic dignitaries making merry over the wine;

<sup>1</sup> Browne was admitted as a Senior on 15 April 1823, and Carr on the following 7 May. Browne succeeded Thomas Spencer, who had for many years been too infirm to attend meetings.

<sup>2</sup> Trinity College Conclusion Book; Trinity College Documents, Box 29, C. I. b.

<sup>3</sup> Willis and Clark, *Architectural History of the University of Cambridge*, vol. II, p. 656.

<sup>4</sup> *Ibid.* pp. 656-658; Mrs Stair Douglas, *Life of Whewell* (1881), pp. 90-92.



and they marked their resentment by absenting themselves. The Master was much annoyed by this demonstration of youthful pique, and, two days later, solemnly remonstrated with the offenders through the Tutors.

“The Master”, he pontifically proclaimed, “takes this method of signifying to the Tutors, and through them to all the students now resident in college *in statu pupillari* (with the exception of the Fellow Commoners), the regret with which he noticed that the only deficiency in the feelings and conduct proper for the solemnity of the 12th of August occurred on the part of them, the juniors of the Society, in the general absence from the dinner in Hall, which he remarked. Hoping that their conduct in this ill-advised proceeding will, upon this representation from him and upon reflexion on their own part, present itself to their minds in its true light, the Master contents himself with this expression of his strong disapprobation, and forbears to institute any formal enquiry whether the deficiency above noticed was preceded by other circumstances, tending to constitute an offence of a very grave and vicious character.”<sup>1</sup>

This was, however, the only rift in the harmony of the day’s proceedings, though probably some of the Fellows were sore at having to make shift with less commodious stables,<sup>2</sup> and were fearful for the solvency of the college. Certainly the cost of the King’s Court, which amounted in all to over fifty thousand pounds, greatly exceeded the original estimate, and the debt was not fully discharged until after many

<sup>1</sup> Wordsworth’s *R.B. Books*, vol. II, pp. 92–95. There is also a copy of this remonstrance in a packet among the Whewell Papers, marked “Miscellaneous Letters and Papers relating to Trinity College”.

Wordsworth suspected that some of the junior Fellows had suggested to the undergraduates that they ought to be allowed to remain in Hall after Grace; and possibly this suspicion greatly contributed to his anger. It appears, moreover, that in the time of the late Master, the young men had sometimes been allowed to remain on similar occasions. “They relied”, noted Wordsworth, “upon some former precedents in the time of the late Master. But I cannot find that more than two could be cited, the first when Marshal Blücher was here, at which time the college partook of the general intoxication of joy, with which the whole nation was possessed; and the scene in Hall was in the highest degree tumultuous: (no laudable precedent therefore): the other was when the Duchess of Gloucester with other ladies dined in Hall (a precedent, therefore, by this very circumstance proved to be totally of an unacademic character), on which occasion the permission was granted at the special request of Her Royal Highness”—*Ibid.*

<sup>2</sup> Willis and Clark, *Architectural History of the University of Cambridge*, vol. II, pp. 659–660.

years.<sup>1</sup> But the finances of the college were not seriously crippled, and Wordsworth deserves credit for having initiated and carried through a beneficial enterprise.

The University has also reason to be grateful to him, for he assisted to improve its curriculum, which urgently needed reform. As the Senate House Examination, which was taken by the majority of the undergraduates, was only a test of mathematical ability, a very large number of young men annually proceeded to the degree of Bachelor of Arts without having any deeper acquaintance with classics and theology than could be acquired by a perfunctory attendance at lectures; and as several of them intended to take Holy Orders, this was a most unsatisfactory state of affairs. Moreover, as the greater number of the undergraduates who took this examination merely qualified for an ordinary degree, for which the standard was most miserably low, only a minority of them derived any intellectual benefit from their stay at the University.<sup>2</sup> But, unfortunately, the many who regretted these defects had no common policy for removing them. Some held that it would be enough if intending graduates in arts were compelled in their second year of residence to pass an examination in elementary classics and theology, while others contended that it should be made possible to acquire an honours degree in these subjects. Owing to this division in their ranks the reformers, though in a majority, were for many years held at bay by the opponents of change, who had a common policy.<sup>3</sup> Nor were these die-hards destitute of serious arguments. They correctly pointed out that the proposed changes endangered the pre-eminence of mathematics among the studies of the University; and as the dogma of the supreme value of mathematics as an educational discipline was rarely questioned, their contention carried weight. They also asserted that as most of the colleges were not equipped to give instruction in a variety of subjects, a more liberal educational policy would almost certainly lead to the substitution of University for college teaching; and although the very moderate measures of reform suggested did not

<sup>1</sup> *Ibid.* p. 660; Trinity College Conclusion Book, 27 January 1841.

<sup>2</sup> Taking an average of three years, a pamphleteer calculated that only a little more than a third of the candidates took honours. Eubulus, *Thoughts on the present system of Academic Education* (1822).

<sup>3</sup> Professor Monk stated that the party opposed to any change was not large, but that "from the opposition between the other two, it has hitherto been successful". Philoquantus (J. H. Monk), *A Letter to the Right Rev. John, Lord Bishop of Bristol* (1822), p. 5.

necessarily entail this consequence, the prediction was enough to alarm those many members of the Senate who were jealous for the independence of the colleges.

It is impossible to compute the strength of the opposing parties in the early stages of the discussion; for though between the years 1818 and 1820 various Graces were brought forward for enabling undergraduates to pursue a more comprehensive course of study, they were all vetoed in the Caput, and were therefore never voted upon in the Senate.<sup>1</sup> But there must have been considerable agitation for educational reform. In December 1818, "in consequence of a very strong and prevalent wish that our young men should henceforth be examined, previously to their degrees, in theological and classical knowledge, as well as in mathematics, metaphysics and ethics", the Senate appointed a syndicate "to deliberate upon this topic and to propose to the University such a plan as appeared most conducive to the object in view".<sup>2</sup> The syndicate laboured long, but as they committed the error of trying to meet all possible objections, they produced a report so very colourless that it would almost certainly have been rejected by the Senate if it had not been lost in the Caput.<sup>3</sup>

Such was the situation when Wordsworth became Vice-Chancellor in November 1820. Though he had taken no part in the controversy, being otherwise engaged, he had long been of the opinion that the exclusive study of mathematics was an evil, and the institution of a classical Tripos an urgent need. He believed that the increase in the number of classical scholarships and prizes since the middle of the eighteenth century had been positively detrimental to the study they were intended to advance, by discouraging all but the most ambitious students from striving for the greatest classical distinction, the Chancellor's medals; and he was consequently convinced that the study needed more encouragement than it had required in the past. He was also much concerned that a University which claimed to prepare young men for Holy Orders did not examine them in theology; and the omission was certainly hard to defend.<sup>4</sup>

As Wordsworth was Vice-Chancellor, he was able to command a hearing, and he took advantage of his opportunity. With the assistance

<sup>1</sup> Philoquantus, *A Letter to the Right Rev. John, Lord Bishop of Bristol* (1822), pp. 3-4; University Papers, University Library, A.C. 206.

<sup>2</sup> *Ibid.* p. 3.

<sup>3</sup> *Ibid.*

<sup>4</sup> Christopher Wordsworth to William Whewell, 16 July 1845, Whewell Papers.

of Professor Monk, he drafted a scheme of reform which he published in April 1821.<sup>1</sup> He proposed that all candidates for the degree of Bachelor of Arts, after passing the Senate House Examination, should be obliged to take an examination in classics and theology, qualifying for honours if passed with distinction; but as he did not wish to be accused of unduly discouraging mathematical studies, no candidates were to be awarded honours who had not previously gained them on the Senate House Examination. Conscious, however, that his proposals, however carefully framed, would arouse opposition, he took the precaution of discussing them with a representative gathering of Tutors, expecting to hear useful criticism; but this hope was disappointed, as the Tutors were unresponsive and extremely non-committal. Possibly they did not think it becoming to bandy words with the Vice-Chancellor, for many of them were strongly opposed to the scheme, and knew that they could count upon powerful support in the University. It was doubtful whether many of the colleges could provide the necessary instruction in classics and theology, and quite certain that if a knowledge of these subjects was required for a degree, undergraduates would have less time to give to mathematics. Therefore Wordsworth was deemed by many to be striking a blow, though perhaps unwittingly, at the colleges and at that "peculiar honour and glory of the University", mathematics. There were also some mean-minded men who assumed that his main purpose was to enhance the reputation of his own college. Classics were far better taught in Trinity than in any other college in the University, and had a most important place in the examinations for its scholarships and fellowships. Consequently Trinity had a most distinguished record of successes in the examinations for the University scholarships and prizes, having since 1806 won every Craven scholarship offered for competition and very many Chancellor's medals. It had therefore much to gain and nothing to lose by the establishment of a Classical Tripos; and even men who were sufficiently charitable not to suspect Wordsworth of interested motives, might reasonably look askance upon a reform so greatly to the advantage of a college which already had, as they thought, too much influence and prestige.

As, however, a Grace brought forward by the Vice-Chancellor was most unlikely to be vetoed in the Caput, Wordsworth could at least

<sup>1</sup> Wordsworth's scheme is dated 10 April 1821. In his letter to Whewell of 16 July 1845, he warmly acknowledges Monk's assistance, which surprised him, as he was aware that Monk had hoped to be appointed Master of Trinity.

count upon his proposal reaching the Senate. He was therefore not deterred by the scant encouragement he had received; and, having slightly modified his scheme,<sup>1</sup> submitted it in the form of a Grace to the Senate on 23 May 1821. The Grace was rejected in the Non-Regent House by thirty-six votes to twenty-two;<sup>2</sup> but his labours had not been entirely in vain. His programme had received a certain measure of support, and, if modified, might in a not distant future be approved by the Senate. He must also have been pleased to hear that he had the sympathy of the more intelligent of the undergraduates. "I had opportunities", wrote Monk in the following year, "of remarking with what delight they, last year, hailed the appearance of the liberal proposals of the Master of Trinity, as well as the disappointment felt at their rejection."<sup>3</sup> The cloud had certainly a silver lining.

But while Wordsworth was waiting for a favourable moment to return to the attack, he was greatly dismayed to learn that his successor in the Vice-Chancellorship, Dr French, Master of Jesus, was about to bring forward a very different and much inferior scheme of educational reform. Discarding, at least for the present, the project of a Classical Tripos, Dr French proposed that all undergraduates should be required to pass in their fifth term of residence an examination in one of the Gospels or the Acts of the Apostles in Greek, Paley's *Evidences of Christianity*, and a prescribed part of a Greek and Latin author.<sup>4</sup> Wordsworth had good reason to be alarmed. Such a very elementary test could not possibly promote either classical or theological studies; and this was not the only objection to it. An undergraduate, who preferred classics to mathematics, would be no better off than before, as such a trivial examination afforded no scope for his ability, and an idle undergraduate would not have to exert himself much more than hitherto.

"The main part of our youth", a critic pointed out, "must continue, as at present, to aim at credit in mathematics or in nothing: while the dull and indolent, knowing that there is to be no further call upon them for either divinity or classics, will think that they have finally got rid of these subjects, and that the renewal of their acquaintance with Euclid and algebra may safely be postponed till the ultimate examination approaches."<sup>5</sup>

Yet Dr French's scheme for a Previous Examination, as it was styled, though severely criticised, was passed by the Senate on 13 March 1822.

<sup>1</sup> University Papers, University Library, A.C. 206.

<sup>2</sup> *Ibid.*

<sup>3</sup> Philoquantus, *A Letter to the Right Rev. John, Lord Bishop of Bristol* (1822), p. 29.

<sup>4</sup> *Ibid.* p. 41.

<sup>5</sup> *Ibid.* p. 42.

Though it cannot possibly have aroused enthusiasm, it had the merit of appealing to opposing camps. Those who did not wish the undergraduates to suffer the slightest distraction from the pursuit of mathematics, supported it as being far less dangerous than Wordsworth's proposals, and as possibly blocking the way against their revival; and those to whom it seemed most miserably insufficient, were willing to accept it as an instalment of better things to come. "The plan", remarked Wordsworth many years later, "met with a good many votes in Trinity; among them, if I recollect right, that of Professor Sedgwick, on the principle that 'half a loaf is better than no bread', and 'get the wedge once in, better things in due time will follow'."<sup>1</sup>

This defection of his own college must have been a great disappointment to Wordsworth, who, with good reason, was much vexed by Dr French's success. Since his rebuff of the year before, he had elaborated a further set of proposals, intending to publish them at an opportune moment, which now might never come. He therefore decided to wait no longer, and on 14 March 1822, the day after the Grace for a Previous Examination had been passed, he made the following note: "I put to press to-day a paper which I had prepared, containing the sketch of a scheme for Previous Examinations and for a final one; and employed myself in the evening in folding and addressing a number of the copies (to the amount of 110) to members of the Senate".<sup>2</sup>

The scheme, which he thus circulated, shows that he had taken the lesson of his earlier failure to heart, as it contained concessions both to the colleges and to the mathematicians. Though all undergraduates were to be subjected in their second and third year to an examination in mathematics, divinity and classics, these examinations were to conform as closely as possible to the instruction given in the colleges.<sup>3</sup> Moreover, though all who had obtained honours in the Senate House Examination, with the exception of the first ten Wranglers,<sup>4</sup> were to take another final honours examination in classics and divinity, candidates for a pass degree were only to be required to sit for an examination on the same lines and in the same subjects as the examinations for the second- and third-year men.<sup>5</sup>

<sup>1</sup> Christopher Wordsworth to William Whewell, 16 July 1845, Whewell Papers.

<sup>2</sup> Wordsworth's *R.B. Books*, vol. III, p. 37.

<sup>3</sup> The candidates were only to be examined in those classical books upon which they had been lectured or examined in their colleges during the previous year.

<sup>4</sup> The first ten Wranglers had the option of taking the Honours examination in classics and divinity.

<sup>5</sup> Whewell Papers.

In a footnote Wordsworth explained that his paper was only intended for private circulation, and that, unless it received general approbation, he did not propose to take further action, and he can hardly have been confident that this condition would be fulfilled. He seems, however, to have hoped that, as coming from the Master of Trinity, it might be taken into serious consideration by the Vice-Chancellor; but even this prospect was not very bright, as he was not on friendly terms with Dr French, and had sharply differed from him in a recent academic controversy.<sup>1</sup> A personal appeal was therefore difficult, but as he was extremely anxious that his labours should not be entirely in vain, he eagerly accepted Monk's suggestion that he should approach the Vice-Chancellor through Dr Kaye, Master of Christ's. His interview with Kaye, which immediately followed, was very satisfactory. He announced his willingness to entrust the execution of his scheme to the Master of Christ's, who agreed on his part to confer with the Vice-Chancellor.

Wordsworth certainly acted unselfishly as well as prudently by thus retiring into the background; but he thereby sacrificed more than himself. Although the Vice-Chancellor undertook to frame a measure of examination reform based upon Wordsworth's proposals, he was neither able nor willing to sponsor those proposals as they stood. He could not, for instance, ask the Senate drastically to revise the scheme of a Previous Examination which he had so very recently asked it to approve. He, moreover, held that the encouragement of classical studies must not be of such an extensive character as to endanger the supremacy of mathematics, and believed that Wordsworth's plan offended in this respect. Thus he was more a critic than a disciple of the Master of Trinity, as is manifested by the scheme which he and Dr Kaye devised and circulated to members of the Senate. The proposal that the candidates for a pass degree should be examined "on the first two days in the elements of mathematics as heretofore, on the third day in Locke's *Essay on the Human Understanding*, Paley's *Moral Philosophy* and his *Evidences of Christianity*, and on the fourth day. . . be required to translate passages from the first six Books of the *Iliad* and the *Æneid*" was certainly in accordance with Wordsworth's views, but the Previous Examination was left unchanged, and theology was not given a place in any honours examination. Moreover, though an honours examina-

<sup>1</sup> The controversy was over the right of Monk to remain Professor of Greek after proceeding to a doctor's degree.

tion in classics was to be annually held in the Lent term, to which all who had obtained honours in the Senate House Examination were admissible, this concession was hemmed in by conditions which were designed to safeguard the supremacy of mathematics. The examination was to be voluntary, and, in order that it should not be of such a searching character as to militate against the zealous pursuit of mathematics, no original composition in either Latin or Greek was to be required.<sup>1</sup>

Wordsworth had been consulted by Dr Kaye while these proposals were being framed, and had acquiesced in them, but he only accepted them as the best obtainable, and was very far from being satisfied.<sup>2</sup> He regretted the exclusion of theology, the veto upon original composition, and, most of all, the voluntary character of the classical examination, for, as will be remembered, he had only been willing to exempt the first ten Wranglers from it. Nor was he convinced by the argument that the Senate would reject a proposal to establish a compulsory examination in classics: "I believe," he wrote, "if there had been faith, it would have passed if the scheme had been stronger."<sup>3</sup> But possibly the Vice-Chancellor and Dr Kaye were wise not to be too venturesome, and their caution was rewarded, as the Senate approved their scheme by a large majority on 28 May 1822.

Wordsworth, though disappointed that more had not been done, had the great satisfaction of knowing that the institution of a Classical Tripos was mainly due to his untiring efforts; and as within three years of his return to Cambridge he had rendered great services to the University and his college, and was still under fifty years of age, he seemed likely to accomplish still more, and to be remembered in days to come as a great Master of Trinity. That expectation was most cruelly frustrated; and when eighteen years later he resigned his post and left Cambridge, his departure evoked no regret and not a little pleasure. He had become very unpopular in his college, and had ceased for many years to be of much account in the University.

It is true that the dice were to a certain extent loaded against him, for

<sup>1</sup> University Papers, University Library, D.C. 1350.

<sup>2</sup> Wordsworth was not consulted on that part of the scheme which was concerned with the ordinary degree candidates. C. Wordsworth to W. Whewell, 16 July 1845, Whewell Papers.

<sup>3</sup> Wordsworth admitted that original composition had not been included in his own scheme, but contended that he "had left the matter open to time and the judgment of the examiners—wishing, indeed, to combine both translations and original exercises"—*Ibid.*



he was a Tory, and many of the Fellows of Trinity were ardent Whigs; but, as in England party politics are seldom acrimonious, this difference of outlook is not sufficient to account for his unpopularity. If he had been more accessible and friendly, his reactionary opinions might have given less offence, but as he lived secluded in his Lodge, very rarely entertaining or seeing his Fellows except in the way of business, he had little opportunity of softening antagonism by personal intercourse. His fundamental error, however, was a most exaggerated estimate of his authority as Master. Regardless of the fact that the college statutes reflected the spirit of an age of despotic government, he was inclined to claim all the rights and privileges which those statutes allowed him, and, consequently, frequently annoyed his Fellows, who were jealous of their independence, and in their anger accused him of twisting and perverting ancient and obsolete enactments to satisfy his passion for power.

“With all my respect”, wrote Richard Sheepshanks in August 1843, “for several of Dr Wordsworth’s good qualities, and for some portion of his understanding, I must say that I never saw such a mau/statute in my life. He never could read the plainest words (which went against his pre-conceived notions of what ought to be) and pick out their meaning. He had an absurd view of the constitution of the college (which is really much like the so-disant English constitution, a monarchical republic) and then twisted many things, old and new, abrogated or not, to suit this view; but this did not worry me more than his perpetual reference to the filthy Johnian statutes, which explain nothing and have no authority, and which in their endless and disgusting rigmarole are enough to make a man, a moderate man, use bad language.”<sup>1</sup>

Wordsworth certainly showed the worst side of his character to his Fellows. He accused Joseph Romilly, a popular and respected member of the society, of “an act of rebellion” because he had signed a petition to the Vice-Master for the hour of the dinner in hall to be changed to four o’clock;<sup>2</sup> and when at a Feast in honour of the Burgesses of the University, one of the Fellows proposed the health of a Whig politician who was also a Trinity man, the Master, rising to his feet and choking with passion, protested that he was not being treated with proper respect, as all toasts ought to be proposed from the chair.<sup>3</sup> He had, moreover, not been long in office before he informed the Tutors that he reserved to

<sup>1</sup> Whewell’s Journal, Whewell Papers.

<sup>2</sup> Diary of J. Romilly, 24, 28, 30 March 1830.

<sup>3</sup> *Ibid.* 6 January 1835.

himself "the nomination (but subject to your entire concurrence and approbation) of your Assistants"; and from both Tutors and Assistant Tutors he exacted a pledge that they would attend chapel "in the morning as much as may be, and on all evenings when you are not engaged by company at home or elsewhere".<sup>1</sup>

It was, indeed, his passion for discipline and chapel attendance that led him to commit in 1834 the gravest error of his career as Master. A particularly bitter controversy had been provoked by an agitation in Parliament and at Cambridge for the admission of Dissenters to degrees, and the argument was frequently advanced that this concession, by permitting diversity of faith among undergraduates, would make it impossible to maintain the religious life and discipline of the colleges. Dr Turton, the Regius Professor of Divinity, argued, for instance, in a pamphlet, entitled *Thoughts on the Admission of Persons without regard to their religious opinions to certain degrees in the Universities of England*, that if dissenters from the Established Church were allowed to proceed to degrees, the religious instruction given in the Universities would undergo the same development as that of an academy which Dr Doddridge had established in 1729, mainly, though not exclusively, for young men intending to enter the Dissenting Ministry. Apparently Dr Doddridge had been always willing to admit persons holding Arian or Socinian opinions into his seminary, with the result, according to Turton, that most of the men who had been trained in it were notorious for their unorthodoxy. This pamphlet was answered by Connop Thirlwall, then an Assistant Tutor of Trinity, who published *A Letter to the Rev. Thomas Turton, D.D.* Thirlwall did not dispute the accuracy of Turton's description of Dr Doddridge's academy, but contended that it was so essentially different to the University, "as entirely to destroy the efficacy of your practical inference". He asserted that the Cambridge colleges were not theological seminaries, as "among all the branches of learning cultivated in them, there is none which occupies a smaller share of our time and attention" than theology, and the truth of this statement was too obvious to require demonstration. But when he declared that the colleges could not rightly claim to train their undergraduates in the faith and precepts of the Church of England or Christianity, he challenged an almost universally accepted opinion, and was therefore obliged to justify his statement. If he had only enlarged upon the very undogmatic

<sup>1</sup> Wordsworth's *R.B. Books*, vol. 1, pp. 158-160; W. Whewell to J. C. Hare, 17 July 1822, Whewell Papers.

character of the divinity lectures given in the various colleges, his pamphlet would not have given serious offence; but, as was almost necessary to his argument, he vigorously attacked the rule of compulsory chapel attendance. He truculently remarked that "our daily services might be omitted altogether without any material detriment to religion", as the majority of those who attend them do not come to pray, and the few who come in a spirit of piety find them unedifying and of very little spiritual value. And how, he asked, could it be otherwise "with a compulsory service exacted from a body of young men under such circumstances"? Indeed, he seems to have held that the services in college chapels were not only useless but positively harmful, and defiantly asserted that "if one half at least of our present daily congregations was replaced by an equal number of Dissenters, they would not have come with greater reluctance, nor pay less attention to the words of the service, nor be less edified, or more delighted at its close".<sup>1</sup>

Possibly Thirlwall exaggerated the undogmatic character of the college divinity lectures,<sup>2</sup> but he correctly estimated the spiritual benefit which most undergraduates derived from the chapel services. But he acted wrongly in publishing his very low opinion of them. If he had held no official position in the college, he could have blamelessly proclaimed from the housetops the evils of compulsory attendance at divine worship; but as an Assistant Tutor he was precluded from openly deriding a disciplinary regulation of the college, and, particularly, one which he had undertaken to countenance by example. When he was appointed to his office, the Master had stipulated that he should regularly attend chapel, and Thirlwall had accepted the obligation.

He always, however, maintained that as he was only a lecturer, and in no way concerned with the enforcement of discipline,<sup>3</sup> he was at liberty to protest when a travesty of undergraduate religion was presented to the world as an objection to a most desirable reform; and he always stoutly denied that by undertaking to attend chapel he had

<sup>1</sup> Thirlwall's Pamphlet is dated 21 May 1834.

<sup>2</sup> In his *Second Letter to the Rev. Thomas Turton, D.D.* (1834), Thirlwall quotes in full some of the attacks upon the accuracy of his description of the divinity lectures.

<sup>3</sup> In *A Historical Account of the University of Cambridge and its Colleges* (1837), B. D. Walsh mentions that the Assistant Tutors have "nothing whatever to do with the discipline and pecuniary affairs of their pupils, but are merely officers paid by the Tutor . . . for their services in lecturing his 'side' or 'class'" (pp. 36-37).

“implied any opinion as to the beneficial effect of the institution”.<sup>1</sup> But this defence was not regarded as adequate by several of his friends and colleagues. Both Whewell and Julius Hare, who admired and liked him, condemned his action; and as Hare had no illusions about the spiritual value of compulsory attendance at chapel, he was an unprejudiced critic. His opinion was that there was an obligation upon “the officers in any executive body . . . not to proclaim the defects of the system they are appointed to execute, unless in concert with their brother officers, and with a reasonable hope of correcting the defects they complain of”.<sup>2</sup>

But Wordsworth thought Thirlwall had committed a far greater offence than a breach of good taste, and he was excessively angry. As a Tory he was appalled by the proposal for the admission of Dissenters to degrees, and considered its supporters to be traitors to the Church of England. As a rigid disciplinarian he attached a most exaggerated importance to rules and ordinances, and no rule was nearer to his heart than that which enforced attendance at chapel.<sup>3</sup> He was also aware that Thirlwall’s opinions were held by other Assistant Tutors and Fellows,<sup>4</sup> and may therefore have well believed in the danger of an open rebellion in the college.<sup>5</sup> Certainly the letter he wrote to Thirlwall on 26 May was that of a man who was panic-struck as well as very angry. After saying that he had difficulty “in understanding how a person with such sentiments can reconcile it to himself to continue a member of a

<sup>1</sup> *Letters, Literary and Theological, of Connop Thirlwall* (1881), pp. 124 ff.

<sup>2</sup> J. C. Hare to W. Whewell, 1 June 1834, Whewell Papers.

<sup>3</sup> Wordsworth’s *R.B. Books* afford much evidence of his anxiety to improve the attendance at chapel.

<sup>4</sup> In an undated letter to Hare, Whewell remarks that “a dislike of compulsory chapel and compulsory lectures go together in the minds of some of our lecturers here”—Whewell Papers.

<sup>5</sup> It was commonly believed that Wordsworth had been encouraged to take action against Thirlwall by Hugh James Rose, and Hare declared that Rose, if guilty, “ought never to be admitted into any room in the college again”. But there is no evidence that Rose was in any way responsible, and he probably only came under suspicion because on Sunday, 18 May, he preached before the University what Romilly described as an “intemperate, uncompromising High-Church sermon”. Rose in this sermon emphasised the importance of upholding the truth “in spite of changed and changing circumstances, in spite of expediency, real or fancied, in spite of all the usual cry of bigotry and intolerance and ignorance”. The application of these words was obvious, and the whole sermon was in the same key. H. J. Rose, *The Duty of maintaining the Truth* (1834); Diary of J. Romilly, 18 May 1834; J. C. Hare to W. Whewell, 1 June 1834, Whewell Papers.

society, founded and conducted on principles from which he differs so widely", he proceeded to pass sentence:

"I consider it certain", he wrote, "that entertaining, and having publicly avowed, the opinions and made the assertions which you have done in connection with several very important parts of our system, . . . you become, I must say, in my judgment *ipso facto* disqualified from being in any degree actively concerned in the administration of our affairs, and I trust, therefore, you will find no difficulty in resigning the appointment of Assistant Tutor which I confided to you somewhat more than two years ago. Your continuing to retain it would, I am convinced, be very injurious to the good government, the reputation and the prosperity of the college in general, to the interests of Mr Whewell in particular,<sup>1</sup> and to the welfare of the young men and many others."<sup>2</sup>

Thirlwall understood Wordsworth to say in effect, "I would deprive you of your fellowship if I could, I can deprive you of your lectureship, and I do";<sup>3</sup> and his interpretation was probably quite correct. He therefore at once resigned his assistant tutorship, but it was not as a lamb that he went to the slaughter. In his letter of resignation to the Master, he remarked that "the right which you assume of taking from me the office which I have held during the last two years in the college, is, I know, considered a very disputable one", and that "in submitting to your authority, I do not mean in any manner to recognise it".<sup>4</sup> He also communicated these passages in his letter, and the Master's letter in full, to the Fellows; and though he professed that he did so, partly to inform the society "of the power claimed by the Master", and partly to ascertain whether it was the general wish that he should resign his fellowship, it is not uncharitable to assume that he also desired to discredit his persecutor as much as possible, and was prepared for this purpose to run the risk of precipitating something like civil war. He must have known quite well that the Fellows, with whom Wordsworth was very unpopular, would not call upon him to resign his fellowship.<sup>5</sup>

Indeed, though some of the Fellows regretted the appearance of the

<sup>1</sup> Whewell was then a Tutor, and Thirlwall was his Assistant Tutor.

<sup>2</sup> *Letters, Literary and Theological, of Connop Thirlwall* (1881), pp. 118-120.

<sup>3</sup> Connop Thirlwall to W. Whewell, September 1834, Whewell Papers.

<sup>4</sup> *Letters, Literary and Theological, of Connop Thirlwall* (1881), pp. 118-120.

<sup>5</sup> In a letter to Sedgwick of 27 May 1834, Whewell refers to the "extreme dislike of several of the Fellows for the Master". Mrs Stair Douglas, *Life of Whewell* (1881), pp. 163-164.

*Letter to Dr Turton*, they were more or less united in condemning the Master for depriving Thirlwall of his assistant tutorship and hinting that he ought to resign his fellowship. Whewell, for instance, who believed that the rule of compulsory attendance at chapel was salutary, thought that the Master had gravely blundered. "The Master's request to him to resign the tuition", he wrote to Sedgwick, "I entirely disapprove of, and expressed my opinion against it to the Master as strongly as I could."<sup>1</sup> The more violent and less responsible members of the society went much further, and bitterly contended that Wordsworth, knowing that he was not authorised to dismiss an Assistant Tutor, had so artfully framed his letter to Thirlwall that what seemed a command to his victim could be interpreted by others as no more than a suggestion. As Wordsworth was unpopular, many found pleasure in believing the worst of him.<sup>2</sup>

There was, indeed, so much angry and intemperate talk that Whewell became seriously alarmed for the peace of the college, fearing that Thirlwall's many friends and supporters might attempt "some violent and rash measure", or, in other words, that they might appeal to the Visitor. He decided to send for Adam Sedgwick, who happened to be in London. "What I wish to beg of you", he wrote on 27 May, "is that you will be our good genius, and moderate, instead of sharing in, our violence. . . . You have more influence in the college than any other person, and have, perhaps, the power of preventing our present misfortunes being followed by any fatal consequences."<sup>3</sup>

This was a very happy inspiration. Sedgwick was very popular, and, as he was an ardent Liberal and had most actively supported the cause of the Dissenters, a plea for peace from him would carry weight with Wordsworth's fiercest enemies. But it is also not unlikely that Whewell was partly induced to make this appeal by a fear which he could not avow. He was well aware of Sedgwick's violence and impetuosity, and of the danger of his rushing into the fray at the head of the wilder spirits; and therefore perceived the importance of quickly enlisting him on the side of moderation. This he succeeded in doing. Sedgwick at once returned to Cambridge and lost no time in taking measures to allay the storm. He and four other Seniors signed an appeal to the

<sup>1</sup> *Ibid.*

<sup>2</sup> Connop Thirlwall to W. Whewell, September 1834, Whewell Papers.

<sup>3</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. 1, pp. 425-427.

Master "to call a Seniority to enquire into the proceedings which led to Mr Thirlwall's resignation of the tuition",<sup>1</sup> and thus diverted the quarrel into a constitutional channel.

In a crisis of this sort it is often more important that something should be done than that what is done should be successful, and so it proved to be on this occasion. The Seniors failed to persuade Wordsworth to restore Thirlwall to his assistant tutorship, and persuasion was their only weapon, as they could not dispute the legality of his action.<sup>2</sup> What followed the meeting we do not know, but possibly Sedgwick was able to convince the more violent of the Fellows that an appeal to the Visitor had no chance of success, and that they must resign themselves to see injustice done. Certainly no further steps were taken. But the wrong which Thirlwall had suffered was neither forgotten nor forgiven, and some weeks later Whewell was still lamenting the discord in the college. "I am much struck and grieved", he wrote, "with the bitter feeling which all our Whigs . . . bear to the Master, which, indeed, goes so far that it is not only unfit for members of the same household, but altogether illiberal and unchristian."<sup>3</sup>

Time, doubtless, exercised its healing influence and moderated angry passions, but the unfortunate episode of Thirlwall's deprivation of office left an abiding mark, and still further estranged Wordsworth from his Fellows. Even those who sympathised with his views must often have regretted his uncompromising assertion of them; but he was far more harshly judged by the many who abhorred him as an obstinate, reactionary Tory, and suspected him of seeking to revive the tyranny of Bentley. And as he believed that his opponents were intent upon sacrificing the welfare and prosperity of a venerable institution to their vicious political principles, there was misunderstanding on both sides and little hope of a reconciliation.<sup>4</sup>

<sup>1</sup> Diary of J. Romilly, 29 May 1834.

<sup>2</sup> In an undated letter to Julius Hare, Whewell gives an account of this Seniority meeting. "A Seniority met upon it (the Master assenting), in which were five persons who were in favour of Thirlwall (Sedgwick, Musgrave, Romilly, Sheepshanks, Peacock) and three others (Greenwood, J. Brown, Evans), but they could make nothing of it. The Master's argument was that Thirlwall had covenanted to countenance chapel when he was appointed lecturer. Of course there was nothing said about the sentence respecting the fellowship, which is looked upon as moonshine."—Whewell Papers.

<sup>3</sup> W. Whewell to J. C. Hare, 19 October 1834, Whewell Papers.

<sup>4</sup> A year after his dismissal Thirlwall wrote a conciliatory letter to Wordsworth, to which the latter replied in the same spirit. J. C. Thirlwall, Jr., *Connop Thirlwall* (1936), p. 81.

It is impossible to say to what extent this unhappy state of affairs was responsible for Wordsworth's resignation, but it was probably a contributory cause. He decided in the course of the year, 1841, to resign; but as the Mastership of Trinity is in the gift of the Crown, and was therefore apt to be considered by Prime Ministers as a piece of political patronage, he refrained from putting his resolution into effect as long as Lord Melbourne's ministry was in power, deeming it a betrayal of trust to allow his office to pass into the hands of Adam Sedgwick or some other Whig. He had not, as he must have known, long to wait. In August 1841 the Tories came into office; and soon afterwards Wordsworth informed Sir Robert Peel, the new Prime Minister, that he wished to resign. He did not, however, immediately obtain the freedom he sought. Both Peel and his Chancellor of the Exchequer, Henry Goulburn, to whom he had also written, replied that they must have time for consideration, and that for the present he must "maintain a profound silence".<sup>1</sup>

Wordsworth professed to have faithfully obeyed this instruction, but secrets have a way of getting out, and early in the following October a rumour was afloat in Cambridge that the Mastership of Trinity was likely soon to be vacant.<sup>2</sup> Probably sensible folk, who made it a rule never to believe gossip, refused to credit the report; but their wisdom was quickly confounded. On 12 October Wordsworth received a letter from Peel, "which, though it does not say that my resignation has been consented to by the Queen, . . . certainly implies that I may look to that being the case eventually"; and, interpreting this message as a release from his pledge of secrecy, he summoned the Vice-Master and told him "what was likely to take place".<sup>3</sup>

There was naturally much speculation as to his successor. Francis Martin, who was Senior Bursar, Wordsworth's youngest son, Christopher, who had been a Fellow of the college and had recently become Headmaster of Harrow, Thomas Thorp, one of the Tutors, and Whewell were all named as likely recipients of the prize; and for a time Martin was the favourite.<sup>4</sup> Wordsworth, however, who had had plenty of time for reflection, came to the conclusion that if he could not be succeeded by his son, which he had come to see was impossible,<sup>5</sup> no one

<sup>1</sup> Christopher Wordsworth to W. Whewell, 12 October 1841, Whewell Papers.

<sup>2</sup> Diary of J. Romilly, 12 October 1841.

<sup>3</sup> Christopher Wordsworth to W. Whewell, 12 October 1841, Whewell Papers.

<sup>4</sup> Diary of J. Romilly, 12, 13 October, 1841.

<sup>5</sup> Mrs Stair Douglas. *Life of Whewell* (1881), p. 226.



could fill the office so well as Whewell, who was a distinguished scholar and a Tory. He therefore communicated the tidings to him by letter on 12 October, the day on which his lips were unsealed; for it was important that Whewell, who was on his honeymoon, should hear of the approaching vacancy quickly. "I can truly say", wrote Wordsworth, "that I retained the office so long as I have done under one administration, and have lost so little time in seeking to part with it under another, in the earnest desire, hope and trust that you may be, and will be, my successor."<sup>1</sup> On the same day Wordsworth called upon the Master of Downing, and urged him to write at once to Whewell, with whom he was intimate.<sup>2</sup>

Whewell was far better known to the world outside Cambridge than any other Fellow of Trinity, with the possible exception of Adam Sedgwick, and as he had already published treatises upon mechanics, architecture, mineralogy, astronomy, and a *History of the Inductive Sciences* in three thick octavo volumes, he was supposed to be omniscient, or, at least, by way of becoming so. It is astonishing that he should have been able to produce so much, as he had been active as a University politician, and for sixteen years had served as a Tutor; but his energy and industry were inexhaustible, and he was constantly seeking out fresh fields for his activity. He was Professor of Mineralogy from 1828 to 1832, and a few years later was an unsuccessful candidate for the Lowndean Chair of astronomy and geometry, to which George Peacock was appointed; but failure could not daunt him, and in 1838, at the suggestion of the Master of Downing, who was Vice-Chancellor, he stood for the Knightbridge Professorship of Moral Philosophy, which had been vacated by the death of that disreputable survival from the eighteenth century, Dr Barnes, Master of Peterhouse; and on this occasion he was successful.<sup>3</sup> He turned his victory to good account. The Knightbridge Professorship, which possibly from its foundation, and certainly from about the middle of the eighteenth century, had been a sinecure, became during his tenure of it an active teaching post. At his first lecture, which was delivered on 22 April 1839, he had an audience

<sup>1</sup> Christopher Wordsworth to W. Whewell, 12 October 1841, Whewell Papers.

<sup>2</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 226.

<sup>3</sup> In 1841 Whewell published *Two Introductory Lectures to the Course of Lectures on Moral Philosophy*, and mentioned in the dedication to Worsley, Master of Downing, that "it is through your kindness that I hold the professorship, . . . for the encouragement which you gave me when the vacancy occurred, you being as Vice-Chancellor one of the electors, principally induced me to offer myself as a candidate".

of over a hundred persons, and eleven or so years later he informed the University Commissioners that he had annually delivered at least twelve lectures, except during the year in which he was Vice-Chancellor.<sup>1</sup>

Yet, successful though he had been, he was a discontented and rather unhappy man. His affection for Trinity was unabated, and of all his many honours he was probably proudest of his fellowship; but he had grown weary of college life. "Friends depart or become separated from me by change of habits", he wrote sadly in December 1840; and he found it difficult to replace these old associates from the younger generation. He, moreover, was ceasing to play a prominent part in college affairs. He had retired from the tutorship in 1839, and the prospect of becoming Vice-Master was distasteful to him, as he had no wish to dine frequently in hall.<sup>2</sup> Yet he hesitated to take a living. Both he, and still more his friends, doubted his fitness for pastoral work, and, though unhappy where he was, he could not bear the thought of the dull routine and seclusion of a country parish. But when middle-aged bachelors grow discontented with their lives, they are in peril of falling in love; and in 1841 Whewell became engaged to Miss Cordelia Marshall. Therefore, as marriage vacated a fellowship, he steeled himself to bid a final farewell to the college which had been his home from boyhood days. This was the sadness in his cup of joy.

He was married on 12 October, the day on which Wordsworth wrote to him, and he naturally hailed with pleasure the prospect of continuing his life at Trinity in an office for which he felt himself well suited. Other letters quickly followed, of which at least two were from his friend, Richard Jones, who was Professor of Political Economy at King's College, London, and a Tithe Commissioner. Jones was worried. He feared that Peel, being an Oxford man and therefore presumably not much interested in Cambridge, might act upon the advice of his Chancellor of the Exchequer, Henry Goulburn, who represented the University in Parliament; and he had heard that Goulburn "some time ago pointed out Martin to a friend as *a* person, if not *the* person, whom he should like to see Master of Trinity".<sup>3</sup> Young Christopher Wordsworth seemed to him also another danger, as a rumour had reached his ears that the Master, before resigning, had stipulated that his son should

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 100.

<sup>2</sup> W. Whewell to J. C. Hare, 15 December 1840, Whewell Papers. This letter is published in Mrs Stair Douglas's *Life of Whewell*, pp. 206-209, but is incorrectly dated 13 December.

<sup>3</sup> Richard Jones to W. Whewell, 15 October 1841, Whewell Papers.

succeed him. Therefore Jones was insistent that Whewell should write at once to Peel, Sir James Graham, who was Home Secretary, and the Bishop of London. "I tell you frankly", he wrote, "I believe there are intrigues on foot to set you aside."<sup>1</sup>

Jones was in an unnecessary panic. There was no truth in the report that the succession had been promised to young Christopher Wordsworth; and, when all was over, Martin declared that he would not have accepted the mastership unless Whewell had previously refused it.<sup>2</sup> But it seems most unlikely that Martin's claims were seriously considered. Acting upon the advice of Jones, Whewell wrote to Peel and Sir James Graham, and, breaking off his honeymoon, came up to London. There was no need, however, for him to stir a hand. On 17 October, the day before he received Whewell's letter, Peel wrote to inform him that the Queen had approved his appointment. On the day following he wrote again: "It will always be satisfactory both to you and to me", he remarked, "to reflect that I named you to the Queen for the Mastership of Trinity College without solicitation, and previously to an expression of a wish on your part."<sup>3</sup>

Wordsworth had therefore the successor that he desired, and probably never regretted his retirement from an office, for which his narrowness of vision and dictatorial temperament made him unfit. But though he may be counted to have failed as Master, his services to Trinity and to learning deserve to be better remembered than they are; and even his bitterest enemies among the Fellows were willing to admit that, however mistaken his policy, he had a great love of the college, and earnestly strove, according to his lights, to promote its welfare. As a token of that affection and interest he gave on his resignation five hundred pounds to the "Pigott Fund for the augmentation of our poor vicarages, a department of the society's concerns, notwithstanding all that has been done in many past years, still capable of additional improvement".<sup>4</sup>

<sup>1</sup> Richard Jones to W. Whewell, 14 October 1841, Whewell Papers. "I thought", said Jones, "of writing to the Bishop of London, but it is better you should, and ask him, if he is consulted, to let you have the benefit of the good wishes you know he bears you."

<sup>2</sup> Francis Martin to W. Whewell, 25 October 1841, Whewell Papers.

<sup>3</sup> Sir Robert Peel to W. Whewell, 18 October 1841, Whewell Papers; Mrs Stair Douglas, *Life of Whewell* (1881), p. 227.

<sup>4</sup> Trinity College Conclusion Book, 13 November 1841.

## Chapter VI

### THE RELIGIOUS TESTS

LESS than a hundred years ago the University of Cambridge was practically a preserve of the Church of England. The colleges were, indeed, able to admit the adherents of any creed or of none, as no profession of faith was exacted at matriculation;<sup>1</sup> but they seem to have made a very sparing use of this liberty, and not to have been very willing to exempt students who did not belong to the English Church from attendance at chapel.<sup>2</sup> Consequently there were very few undergraduates who were not at least nominal Anglicans; and even if a more generous policy had been pursued, it is unlikely that there would have

<sup>1</sup> At Oxford, undergraduates, when they matriculated, had to subscribe the thirty-nine articles.

<sup>2</sup> W. D. Christie, who had been an undergraduate at Trinity, stated that in his time at Cambridge exemption from attendance at chapel was sometimes given. "In my time", he said, "there were Roman Catholics in Christ's College who were exempted from chapel. There have been Roman Catholics in Magdalen (*sic*) College similarly exempted; and in my time there was a Jew in that college also exempted from chapel, though he afterwards migrated to Trinity College, and was there obliged to attend chapel. In Trinity Hall a Mohammedan resided for some time, and was not required to attend chapel." At Trinity, as Whewell explained in a letter to the Duc d'Aumale, who was thinking of sending a son to the college, exemption from attendance at the college chapel was always an act of grace which "could not be stipulated for beforehand" or taken for granted. In 1859, for instance, Alfred de Rothschild, then an undergraduate at Trinity, was not excused attendance until his father and his Tutor, Lightfoot, had petitioned the Master on his behalf; and the letters which passed on this occasion make curious reading. "In speaking with you on the subject of Mr Rothschild's attendance at chapel", wrote Lightfoot to the Master, "I ought to have stated to you that, as a matter of individual feeling, I should be exceedingly glad if his case could be treated as an exceptional one, and his attendance excused without compromising the college as to the course to be pursued in other instances"; and though Whewell granted this request, he clearly considered the concession a particular favour. "I have taken into consideration", he replied to Lightfoot on 28 October 1859, "your wish that your pupil, Mr Rothschild, should be excused attendance at chapel on the ground, I presume, that he has no sympathy with Christian prayers, and that Christian worshippers might prefer his absence. . . . I have now to say that, if the Dean is willing to excuse Mr Rothschild all services at chapel, I am prepared to acquiesce in making exception to our rule in this instance." On 31 January 1862 W. C. Matheson, then a Tutor of Trinity, wrote to Whewell about a young Hindu who wished to come to Trinity, and "would be regular, as I am assured, in his attendance at chapel", though not a Christian. *Hansard*, 3rd Series, vol. LXIX, pp. 855-918; Whewell Papers.

been many more, as the law of the University required the recipients of all degrees either to declare themselves members of the Established Church or to subscribe the three articles of the Canons of 1604, which asserted that the Sovereign was the supreme Governor of the Church, that no foreign prince or prelate had any ecclesiastical or spiritual jurisdiction and authority within the realm, and that the Prayer Book and thirty-nine articles were in accordance with the Word of God.<sup>1</sup> Moreover, by the law of the land candidates for degrees were required to take the oath of supremacy; and by the Act of Uniformity, passed in the reign of Charles II, Heads of Houses, Fellows, Tutors, Professors and Readers were obliged to conform to the liturgy of the Church of England.

This restrictive system survived the intolerance of the sixteenth and seventeenth centuries, to which it owed its existence, and could in a measure be justified to a later and more enlightened generation. As all Doctors and Masters of Arts, whose names were on the books of a college, had a vote in the Senate,<sup>2</sup> a degree was something more than a certificate of intellectual merit; and as the University was by tradition a bulwark of the English Church, and educated many of its clergy, it could with some show of reason be contended that only those who professed the doctrines of that Church could safely be allowed to legislate for it. The colleges, moreover, were religious foundations; and as late as the middle of the nineteenth century enlightened and charitable men were still in doubt whether "the internal system of collegiate discipline and the course of academical administration could be so adjusted as to comprehend persons of different religious opinions, without the neglect of religious ordinances, the compromise of religious consistency, or the destruction of religious peace".<sup>3</sup> These fears may have been exaggerated, but they were not entirely without foundation; and it is not impossible that if the men who entertained them were alive to-day they might deplore the neglect of certain religious ordinances, and be unable to distinguish our religious peace from the peace of the tomb.

Indeed, as it was generally assumed that it behoved the University to

<sup>1</sup> Until 1772 the recipients of all degrees had to subscribe the three articles, but in that year the Senate passed a Grace which substituted for Bachelors of Arts a declaration of membership of the Church of England, and in 1779 this not very material concession was extended to Bachelors of Civil Law, Medicine and Music, and to Doctors of Music.

<sup>2</sup> Except Doctors of Music, who were not members of the Senate.

<sup>3</sup> *University Commission Report* (1852), p. 44.

defend the Church of England and extend its influence, the admission of followers of other religions to its degrees and offices could be plausibly represented as an act of folly comparable with that committed by the Trojans when they took in the wooden horse. Consequently, when in the latter part of the eighteenth century there was a movement at Cambridge, which was influentially supported in Parliament, for the abolition of the religious tests required of candidates for degrees, its promoters were thought to be inspired by hostility to the Church, and were signally defeated.<sup>1</sup> The fervent anglicanism of the University could not be shaken by the cry that learning should be free and untrammelled, and in 1818 some of the Tutors prevented the appointment of a Dissenter as Deputy Reader to the Botanical Gardens by threatening to forbid their pupils to attend his lectures.<sup>2</sup>

Yet all was not as well as it seemed to the upholders of the existing system. The Whigs were beginning to emerge from the clouds which had for so many years overshadowed them, and a supporter of reform and religious toleration was no longer in danger of denunciation as a Jacobin. Consequently many of the younger generation, for whom the horrors of the French Revolution were but a childish memory and the many existing abuses in Church and State very active irritants, eagerly linked their fortunes with a party which was prepared to give battle for civil and religious liberty and could do so without incurring discredit. But though several of the junior members of the Senate were ardent supporters of Whig principles, they were very much in a minority, and as the country was under Tory rule, they wisely remained on the defensive, and refrained from courting certain defeat by proposing that the University should cease to require candidates for degrees to make a profession of faith. Yet, being sincerely convinced that this reform would not only remove a gross injustice but enable Cambridge to play a more distinguished part in the world of learning, they only needed encouragement to bring it forward. And in due time they received that encouragement. The repeal in 1828 of the Tests and Corporation Acts,

<sup>1</sup> A change was certainly made in the form of subscription for some of the lower degrees, but not of such a character as to make it possible for non-Anglicans to be admitted to them (see note 1, p. 84).

<sup>2</sup> Sir James Edward Smith, *Considerations respecting Cambridge, more particularly relating to the Botanical Professorship* (1818); Sir James Edward Smith, *A Defence of the Church and Universities of England against such injurious advocates as Professor Monk and the Quarterly Review* (1818); J. H. Monk, *A Vindication of the University of Cambridge* (1818); J. H. Monk, *Appendix to a Vindication of the University of Cambridge* (1819); *Quarterly Review*, vol. xix.

which excluded Dissenters from municipal and other offices, and the Catholic Emancipation Act passed in the following year, showed the trend of public opinion, and weakened to a certain extent the case for the religious tests at the University; but it was not until after the death of George IV, when the Whigs came into office, swept the country at the General Election in 1831 and carried their Reform Bill, that the minority in the Cambridge Senate decided to take the offensive. As they believed that the religious tests could be abolished without endangering the connection between the Church of England and the University, they did not appear to themselves as revolutionaries.

But they certainly seemed so to their opponents. The Tories at both Oxford and Cambridge expected the worst of a Government which must disappoint the hopes of many of its supporters if it did not proceed to remodel most of the existing institutions of the country. They feared the spoliation of the Church and the secularisation of the Universities; and that fear became almost a panic when in 1833 the Ministry carried the Irish Church Temporalities Bill which suppressed two Archbishopsrics and eight Bishopsrics. Shortly before that measure was passed, John Keble preached at Oxford his famous assize sermon, which was "a strong expression of the belief. . . that the new Governors of the country were preparing to alter the constitution, and even the public documents, of the Church";<sup>1</sup> and so the Cambridge Tories thought. To them, therefore, the religious tests seemed more indispensable than ever.

Their fears were not entirely imaginary. The Dissenters quickly realised that it was a favourable moment to advertise their many wrongs; and in the numerous petitions for redress of grievances, which they presented to Parliament in the course of the year, 1834, they laid particular stress upon their "practical exclusion from taking degrees in the Universities of Oxford and Cambridge".<sup>2</sup> Unlike the Roman Catholics, who did not for the most part wish to be educated by adherents of another faith, they were anxious to have free access to the Universities, which, they asserted, were national institutions and not Church of England seminaries. As their case would be strengthened by disproving the oft repeated statement that the Universities trained their undergraduates in the principles and practice of the English Church, R. M. Beverley published in November 1833 *A Letter to His Royal*

<sup>1</sup> R. W. Church, *The Oxford Movement* (1891), p. 82.

<sup>2</sup> *Annual Register* for 1834, p. 169.

*Highness, the Duke of Gloucester, on the present corrupt state of the University of Cambridge.* Beverley, who had become a Dissenter after taking a degree at Cambridge, had been an undergraduate at Trinity, and his pamphlet professed to give a faithful picture of life at the University from personal experience. The picture was far more lurid than faithful. He accused the undergraduates of the wildest debaucheries and excesses. Many of them, he said, were more or less habitual drunkards, and so profligate that it was almost impossible for a female servant in a University lodging house to preserve her virtue. Gambling for high stakes and reckless extravagances were their other besetting sins: one of his undergraduate friends, he declared, had spent more than a thousand pounds during his first term, and another had run up debts amounting to seven hundred pounds within a few weeks of beginning residence as a freshman. Moreover, according to him, the senior members of the University were no better than their juniors, for they too led vicious lives, not uncommonly having mistresses, and generally having no higher ambition than to become an authority upon food and drink.

Beverley had matriculated in 1816, and as the discipline of the University was then at a low ebb, he probably did not draw exclusively upon a fertile and obscene imagination. Moreover, some of the scandals, which he so lovingly depicted, were still flourishing when he wrote; a few weeks after he had published his pamphlet two Trinity undergraduates were sent down for gambling, and one of these offenders confessed that his losses amounted to nearly eight hundred pounds.<sup>1</sup> But many of Beverley's assertions were either inventions or worthless gossip; and in four letters to the *Leeds Mercury* Adam Sedgwick showed him to be almost as ill-informed as he was malicious.<sup>2</sup> Yet though proved to be a liar and repudiated by all respectable Dissenters, he was not quite so unsuccessful as he deserved to be. His pamphlet went through three editions, and as many of its readers were incapable of critically examining his accusations, and were sometimes not unwilling to believe them, a little of his mud stuck. Even fair-minded persons, who studied both sides of the controversy, might well come to the conclusion that smoke meant fire, and that it was ludicrous to assert that the undergraduates were being trained to become good Anglicans. And if

<sup>1</sup> Diary of J. Romilly, 4 February 1834.

<sup>2</sup> Sedgwick himself was inclined to be more vigorous than accurate; and undergraduates must have been amused by his bold statement that "there is no temptation to gambling in the University".



they were not, what was the objection to the admission of Dissenters or men of no religion at all?

As there was this danger of an attack from the outside, it seemed possible that the Senate might have the good sense to avert it by making timely concessions. This was at least the hope of those who disliked the religious tests; and therefore, though still very much in a minority, they decided that the time for action had come. They were to discover, however, that panic does not make mankind reasonable. When on 4 December 1833 Professor Pryme brought forward Graces for the appointment of syndicates to enquire into the expediency of abolishing or modifying the tests, they were vetoed in the Caput by the die-hard President of Queens', Joshua King, who had recently become Vice-Chancellor;<sup>1</sup> and Cornelius Hewett, the Downing Professor of Medicine, had no better fortune when on 12 February 1834 he submitted a Grace for the appointment of a syndicate to consider the expediency of abolishing or modifying the tests for the candidates for medical degrees, for it was also vetoed in the Caput, and again by King.<sup>2</sup> This latter rebuff was the more significant, as the University stood to gain much by the reform which Hewett proposed. The hope that the number of medical candidates, which was regrettably small, might be thereby increased, was not the only argument in its favour. The exclusive right, which Oxford and Cambridge enjoyed, of conferring medical degrees was threatened, as the College of Physicians had recently petitioned to be allowed the same privilege; and John Haviland, the Regius Professor of Physic, was convinced that the request of the College of Physicians would be granted unless the two Universities exempted their medical students from the tests, and that the Cambridge medical school was unlikely to survive such a blow. "There can be little doubt", he wrote, "but that the effect of such a measure would be to withdraw from the Universities a large portion of the medical students, and to exclude every hope of the further promotion of medical studies."<sup>3</sup>

It is not, however, necessary to accept these or other arguments against the tests to appreciate the folly of the Vice-Chancellor's tactics. He could safely have allowed all these Graces to pass the Caput, as they would certainly have been rejected by one or other House of the

<sup>1</sup> University Papers, University Library, A.C. 206.

<sup>2</sup> *Ibid.*; Diary of J. Romilly, 12 February 1834.

<sup>3</sup> J. Haviland, *A Letter to the Members of the Senate on the subject of the Subscription required of Medical Graduates in the University of Cambridge* (1833).

Senate; and by thus refusing their supporters a fair hearing, he gave them an excuse for more drastic action. At a meeting held on Thursday, 13 March in Professor Hewett's rooms in Downing, with Adam Sedgwick in the chair, it was agreed to invite resident members of the Senate to petition Parliament, "in their own behalf", to abolish the tests. There were undoubtedly grave objections to this course. It was irregular, as the normal procedure was for the University to petition Parliament or the Crown in its collective capacity, that is through the Senate; and it was also dangerous, as the enquiry of Parliament into the affairs of the University might be more comprehensive than the petitioners anticipated or desired. But angry men are seldom prudent.<sup>1</sup>

There was, however, little time for thought and reflection, for immediate action was deemed necessary and Parliament was shortly rising for the Easter holidays; and by the evening of the following day a petition had been drafted, engrossed and deposited for signatures in the rooms of a Fellow of Trinity, Thomas Musgrave. On Monday, 17 March, when it had been signed by sixty-three members of the Senate, of which all but one were in residence, it was sent to London; and as the total number of residents was calculated to be about one hundred and eighty, and there had been very little time to canvass them, the support obtained was satisfactory, particularly as among the signatories were some of the most distinguished scholars in the University. But learning was more adequately represented than academic office or dignity. Only two Heads of Houses, nine Professors, and eleven Tutors and Assistant Tutors signed the petition; and this very marked abstention of the men responsible for University administration was undeniably a weakness.<sup>2</sup>

Yet the petitioners were seemingly very moderate. They emphasised the value of the connection between the University and the Church, and

<sup>1</sup> On the day before the meeting the Senate had approved by large majorities in both houses a petition for the University to be heard by Counsel against the proposal that the new University of London should be allowed to grant degrees, bearing the same titles and carrying the same privileges as those conferred by Oxford and Cambridge. The University of London, being non-sectarian, was disliked by churchmen; and in a letter to *The Times* of 10 April 1834, Adam Sedgwick stated that he and his friends were convinced by this vote that the Senate would never concede an inch to the Dissenters, and that therefore they were compelled to call upon Parliament to take action. They certainly had no right to draw this deduction, as the Senate's enthusiastic approval of the petition against the University of London must have been in no small measure inspired by jealousy of a rival institution; but the petitioners were naturally anxious to suggest that they had not acted hastily or without provocation.

<sup>2</sup> The names of the signatories are given in the *Cambridge Chronicle* of 28 March 1834.

their belief that the beneficial influence, which the University had on "the learning, piety and character of the nation", was largely due to that connection. Moreover, though they asked the legislature to abolish the tests except for divinity degrees,<sup>1</sup> they expressly disclaimed "all intention of hereby interfering, directly or indirectly, with the private statutes and regulations of individual colleges". Further, by way of justification, they declared that the religious tests dated only from the reign of James I, and, which was not true, that most of them had been imposed "in a manner informal and unprecedented".<sup>2</sup> But though undoubtedly sincere, they were far more revolutionary than they knew.<sup>3</sup>

On 21 March the petition was presented to the House of Lords by the Prime Minister, and to the House of Commons by the Secretary of the Treasury, Thomas Spring Rice.<sup>4</sup> Many of the arguments urged in its favour were very effectively met. When, for instance, Lord Grey contended that the tests inflicted a great hardship upon many worthy members of the community, as graduates of Oxford and Cambridge were able to qualify for the legal profession in three years instead of in five, and alone were eligible for the fellowships of the Colleges of Physicians and of Surgeons, he was ably answered by the Duke of Wellington, who pointed out that the Inns of Court and the two colleges concerned could easily remove this hardship by changing their regulations, and that the Universities were in no way responsible for it. Several critics also pointed out that if members of other religious bodies than the Church of England were allowed to proceed to degrees, the colleges would be practically unable to refuse them admission, and consequently become incapable of maintaining their religious life and discipline. But the petitioners must have been made far more uneasy by the remarks of

<sup>1</sup> The Petition does not refer to musical degrees, but the omission must have been accidental, as it could not possibly have been intended to retain the tests for them.

<sup>2</sup> In 1613, at the request of James I, the Senate approved a Grace requiring Bachelors of Divinity and all Doctors to subscribe before admission to their degrees the three articles of the Canons of 1604; and there was nothing abnormal in this procedure. Three years later the King, first by word of mouth and then by letter, informed the Vice-Chancellor that he wished candidates for all degrees to subscribe the three articles; and, though no Grace was passed, this royal command was obeyed. It was presumably on the omission of a Grace on this occasion that the petitioners based their charge of informality; but the objection was frivolous, as royal letters, which had either been formally accepted or adopted in practice by the University, were always held to be as binding as statutes.

<sup>3</sup> C. H. Cooper, *Annals*, vol. iv, pp. 581-582.

<sup>4</sup> The discussion of the petition in the House of Commons did not begin until 24 March.

certain candid friends, who questioned the value of that religious life, and could speak from first-hand knowledge of it. Edward Stanley, for instance, who had been an undergraduate at Oxford, ridiculed the idea of young men acquiring spiritual benefit by going half-sober from a wine party to chapel; and Lord Palmerston, who had been at St John's, Cambridge, was even more emphatic:

“Was it”, he asked, “either essential or expedient that young men should be compelled to rush from their beds every morning to prayers, unwashed, unshaved and half-dressed; or in the evening from their wine to chapel, and from chapel back again to their wine? By such a course the interests of the Church and true religious feeling could not be really served or advanced. A change in such a system of discipline would not be injurious, either to the interests of religion or to those of the University.”

This was good sense, but it was not what the petitioners wanted, for they did not wish Parliament to interfere with college regulations.<sup>1</sup>

Meanwhile there was much earnest talk at Cambridge about the best mode of proclaiming the devotion of the University to the tests. The first idea was for the Heads of Houses to petition Parliament; but on the advice of “friends in town”, to quote Dr French, it was decided to abandon this project in favour of a protest by resident members of the Senate.<sup>2</sup> This protest, which is dated 3 April, was brief but very much to the point. It absolutely denied that the tests had been imposed upon the University “in a manner informal and unprecedented”, and asserted that their abolition would make it impossible “to maintain in the several colleges any uniform system of sound religious instruction or of wholesome discipline”; and the fact that it was signed by one hundred and ten resident members, including eleven Heads of Houses and the three Divinity Professors, most effectively demonstrated the prevailing sentiment in the University.<sup>3</sup> It was intended to follow up this protest by a petition from the Senate to Parliament on the same lines; and, in order that this petition should be carried by overwhelming majorities, many

<sup>1</sup> *Hansard*, 3rd Series, vol. xxii, pp. 569–598, 623–637, 674–713, 979–1009. On the following 28 July Gladstone stated in the House of Commons that he “had not so bad an opinion of his fellow collegians as to believe that even in their most convivial moments they were unfit to enter the House of Prayer”. This truly surprising incredulity suggests a very limited knowledge of undergraduate life.

<sup>2</sup> The advice was sound, as it might be alleged that the Heads were out of touch with University opinions.

<sup>3</sup> C. H. Cooper, *Annals*, vol. iv, p. 582, note 1.

non-residents were summoned to vote. But the Senate was denied the opportunity of impressively attesting its loyalty to the Church of England, for on 16 April Professor Hewett, giving tit for tat, vetoed in the *Caput* the Grace for the petition. This came as a complete surprise, as it was unusual, though not entirely unprecedented, for a Grace approving a petition to the Crown or Parliament to be thrown out in the *Caput*;<sup>1</sup> but the church party rose to the occasion. The petition was at once deposited in the Hall of Queens', the Vice-Chancellor's college; and as many non-resident members of the Senate were in Cambridge, it received within a few hours two hundred and fifty-eight signatures. It was carried up to London by the Vice-Chancellor on the following day, and debated in both Houses of Parliament on 21 April. These debates are of little interest, as nothing new was said.<sup>2</sup>

They were, moreover, overshadowed by what had taken place in the House of Commons a few days before, when the seed, which the sixty-three petitioners had sown, came up with variations which did not please them. They had asked for all lay degrees to be exempted from the tests; and on finding that the Government was not prepared to take the necessary action, they fell back upon a private member, a certain Colonel Williams, who on 17 April moved that "an humble address be presented to the King, requesting His Majesty to signify his pleasure to the Universities of Oxford and Cambridge respectively, that those bodies no longer act under the Edicts or Letters of James I, . . . with the exception of those proceeding to degrees in divinity". But when Williams had sat down, G. W. Wood moved as an amendment that leave be given to bring in a Bill granting "to His Majesty's subjects generally the right of admission to the English Universities, and of equal eligibility to degrees therein, . . . degrees in divinity alone excepted"; and the amendment was carried by one hundred and eighty-five votes to forty-four.<sup>3</sup>

<sup>1</sup> J. H. Monk, who had become Bishop of Gloucester, stated in the House of Lords on 21 April that it was extremely unusual for a Grace approving an address or petition to be vetoed in the *Caput*. "The first instance of the kind he recollected was in the case of an address to the Crown on the assassination of Mr Perceval, and to meet with a similar occurrence they must go back to the year 1715, when an address on the late rebellion had been obstructed in a like, but, as was then stated, in an unprecedented, manner." *Hansard*, 3rd Series, vol. xxii, pp. 996-997.

<sup>2</sup> *Ibid.* pp. 979-1012; Diary of J. Romilly, 16 April 1834.

<sup>3</sup> It is only a surmise that Williams was acting in co-operation with the anti-tests party at Cambridge, but there are grounds for thinking that he was. On 26 March he stated in the House of Commons that the petition of the sixty-three was "a conse-

As Wood was a Dissenter, Sedgwick and his friends at Cambridge much regretted his successful intrusion,<sup>1</sup> fearing that he might have hostile designs against the Church of England and the Universities; and their alarm was not allayed by the publication of his Bill, which not only exempted candidates for lay degrees from the tests, but, in the words of Sir Robert Peel, "gave a positive statutable right to every Dissenter, be he Jew, Infidel or of no religion at all, to demand his admission to an University, unless immorality or ignorance could be alleged against him", and prescribed that "if any College or Hall should attempt to adhere to an existing statute, or should attempt to pass a statute hereafter, making attendance at divine worship in such College or Hall requisite, that statute should be of no effect".<sup>2</sup> Consequently, if the Bill as drafted became law, the colleges would be obliged to admit every respectable and reasonably educated candidate, and would not be able to compel such of their undergraduates as were not members of the Church of England to attend chapel.<sup>3</sup> This was not only far more than Sedgwick and his friends had either asked or wished: it belied their profession of not "interfering, directly or indirectly, with the private statutes and regulations of individual colleges", and therefore, unless they repudiated their champion, exposed them to the charge of a breach of faith. But repudiation involved the danger of alienating the sympathy of the House of Commons, with which they could not dispense.

They displayed considerable resource in their difficulty. They did not openly oppose the Bill, and one of them, Dr Davy, Master of Caius, vetoed in the Caput a petition against it.<sup>4</sup> But they endeavoured to per-

quence of a communication or correspondence he had had with the University of Cambridge"; and Romilly noted in his diary, 11 April 1834, "wine with Sedgwick to meet Musgrave and Peacock, to arrange the words of the Bill to be brought in by Colonel Wood, in support of our late petition abolishing degree tests". Wood was not a Colonel, and it may be fairly assumed that Romilly was guilty of a slip of the pen, writing Wood for Williams. *Hansard*, 3rd Series, vol. xxii, pp. 674-712, 900-929.

<sup>1</sup> In a letter, dated 27 April 1834, Sedgwick remarked, "I wish heartily the getting up of the Bill had not been with a Dissenter". J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. I, p. 422.

<sup>2</sup> *Hansard*, 3rd Series, vol. xxiv, p. 698.

<sup>3</sup> Wood frequently denied in the House of Commons that this was his intention, but he apparently did not understand his own Bill.

<sup>4</sup> A petition against the Bill was announced for presentation to the Senate on Wednesday, 30 April, and it was believed that this date had been chosen because Professor Hewett was absent from Cambridge, for he was a member of the Caput and expected to veto the petition. Dr Hewett was hurriedly called back by his friends, and on his return the Vice-Chancellor postponed consideration of the petition. Nothing,

suade Wood to modify it: "If Mr Wood", wrote Sedgwick on 27 April, "adopts the suggestions sent up last night and agreed to at my rooms, the Bill will not touch the rights of the admitting officers in the several colleges."<sup>1</sup> Their advice might not have been taken if certain members of the House of Commons, who had declared themselves in favour of the admission of Dissenters to degrees, had not also deprecated any interference with the rights of the colleges; but, being thus effectively supported, it was accepted. The Bill, as amended in committee, merely declared that it shall be "lawful for all His Majesty's subjects to matriculate in the Universities of England, and to take degrees therein (degrees in divinity only excepted)", without subscribing a religious test, thus leaving the colleges at liberty to refuse non-Anglicans. In this form it passed the House of Commons by a very substantial majority, but only to meet its expected doom in the House of Lords, where it was rejected on the second reading by over a hundred votes.

Thus the appeal to Parliament to free the University from the reproach of religious intolerance failed, and not until thirty-seven years later were the tests completely swept away. But, as the cause for which that appeal was made ultimately triumphed, its promoters have received the applause which is invariably given to the pioneers of victory. Nor should it be begrudged them. Though they were but halting disciples of their own teaching, they at least had a vision, however imperfect, of a great truth.<sup>2</sup> Nevertheless, it is pardonable to suggest that by premature action they may have retarded progress towards religious liberty. If, by appealing to Parliament against the Senate, they had only produced an ephemeral controversy, they would have done no more than disturb for a season the even tenor of Cambridge life; but the very bitter resent-

however, was gained by these tactics, for when the petition was brought forward on 9 May, it was vetoed in the Caput by Dr Davy. Hewett was also present on this occasion, and presumably would have vetoed the petition if Davy had not done so. University Papers, University Library, C. 101. Diary of J. Romilly, 28, 30 April, 15 May 1834.

<sup>1</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. 1, p. 422.

<sup>2</sup> Adam Sedgwick, like many Broad Churchmen, was extremely intolerant of religious scruples which he did not share, and held that a Dissenter, worthy of a University education, ought not to suffer pangs of conscience by attending services in the college chapel or listening to divinity lectures from Church of England clergymen. "A bigot," he wrote, "a man who would haggle about organs and surplices—will and must keep away, and we do not want him." *Ibid.* vol. 1, p. 422.

ment which their action evoked, did not quickly subside, and had the unfortunate consequence of gilding the supporters of the tests with the glamour of defending the University from external interference. It, moreover, came to be believed that the University might have been spared such interference and been permitted to reform itself, if those sixty-three members of the Senate had not petitioned Parliament against the tests. In the debates on that petition much was said about the antiquated and mediaeval character of the Universities, and that here, having once been started, was never after left in peace. In the spring of 1837 Lord Radnor introduced a Bill into the House of Lords for the appointment of a Commission of enquiry into the working of the statutes and the application of the revenues of the Halls and Colleges of Oxford and Cambridge;<sup>1</sup> and though it was rejected, the assault, which was finally successful, had begun. It was doubtless well that it should succeed, but there were not many at Cambridge who thought so, and most members of the Senate probably came to curse the day when Parliament had been invited to take an interest in the affairs of the University. Nor was this dislike confined to those who were set against any change. The Cambridge of 1850, the year in which a Royal Commission was appointed, was very different from the Cambridge of 1834; and when Adam Sedgwick was invited to serve on that Commission, he admitted in a letter to Colonel Grey that he had ceased to believe so firmly as formerly that the University needed to be saved from itself.

“About fifteen years since,” he wrote, “a petition to the two Houses of Parliament was sent from Cambridge, praying for the abolition of religious tests before conferring academic degrees in arts, law and physic. The present Archbishop of York and myself waited on your late father, Earl Grey, with this petition, which he soon afterwards presented to the House of Lords. In a long conversation we held with him at the Treasury, he made many inquiries into the working of our system, and he appeared very heartily to agree with a statement made by myself, viz.—that a *searching* Commission, composed of men who loved and honoured our old institutions but were not blinded to their imperfections, might be of great national importance, and might give additional strength and security to Cambridge. I retain the opinions I then expressed to your honoured father, but not without some modification, for our University has now greatly amplified its course of study, which is perhaps

<sup>1</sup> *Hansard*, 3rd Series, vol. XXXVII, pp. 1001–1043. In 1835 Lord Radnor had brought forward a Bill for the abolition of the tests at both Universities, but had failed to carry it. *Ibid.* vol. XXVIII, p. 642, vol. XXIX, pp. 496–537.



as wide as is expedient, and a committee of inquiry into a modification of the University statutes has been sitting for more than a year, and is making secure though slow progress. . . . Hence I cannot but feel that the intended Royal Commission is rather unfortunately timed.”<sup>1</sup>

The welcome thus extended by Sedgwick to the bread which he had cast upon the waters was somewhat lacking in enthusiasm.

<sup>1</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. II, pp. 173-176.

## Chapter VII

### CHANCELLORS AND HIGH STEWARDS

A LACK of interest in political questions was not a characteristic of the University during the first half of the nineteenth century; and in this respect the contrast between the present and the past is very striking. During the first three decades of the century the Senate petitioned Parliament many times against the relief of Roman Catholics from their statutory disabilities;<sup>1</sup> and on 21 March 1831 approved a petition against the Reform Bill which Lord John Russell had recently introduced.<sup>2</sup> The University had ample precedent for adopting this mode of expressing its political sentiments; but as the petitions which it presented were nearly always in the Tory interest, it inevitably acquired the reputation of being the stronghold of the party which was falling out of favour with the nation. The Burgesses which the University returned to Parliament tell the same story, for a Whig or Liberal can be very rarely found among them.<sup>3</sup>

<sup>1</sup> C. H. Cooper, *Annals*, vol. iv, pp. 486, 501, 503-504, 517, 530, 541, 546. On 11 February 1829 a Grace for petitioning Parliament against the admission of Roman Catholics to the legislature and the high offices of State was unexpectedly rejected in the non-Regent House by fifty-two votes to forty-three. This rebuff was supposed at the time to have been due to an incursion of non-resident voters: "Macaulay," writes Sir George Trevelyan, "with one or two more to help him, beat up the Inns of Court for recruits, chartered a stage coach, packed it inside and out with young Whig Masters of Arts, and drove up King's Parade just in time to turn the scale in favour of emancipation". Sir G. Trevelyan, *Life and Letters of Lord Macaulay* (1881), p. 106; J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. I, p. 336; C. H. Cooper, *Annals*, vol. iv, p. 559.

<sup>2</sup> C. H. Cooper, *Annals*, vol. iv, p. 569.

<sup>3</sup> In June 1829 William Cavendish (later Lord Burlington), who was a Whig, was chosen to represent the University in Parliament. He had recently graduated as second Wrangler, having also been placed eighth in the first class of the Classical Tripos; and his highly distinguished academic career, which was considered particularly creditable in an heir presumptive to a Dukedom, was largely responsible for the success of his candidature. He was, according to Pryme, the first Whig member to be returned "since Lord H. Petty's defeat in 1807". The other member, Lord Palmerston, had been a Tory when first returned in 1811; and, though he later began to display Whig sympathies, they had not been so pronounced as to destroy his personal popularity with his constituents. At the General Election of May 1831, which was fought on the question of parliamentary reform, both he and Cavendish were unseated in favour of anti-reform candidates. G. Pryme, *Autobiographical Recollections* (1870), p. 168.

Political considerations also influenced the choice of a Chancellor and a High Steward. These two officers were not expected to concern themselves with the ordinary routine academic business, and, indeed, could not, as they were invariably absentees; and they were held to have done their duty if they took a benevolent interest in the welfare of the University, occasionally visited it, and, when necessity arose, acted as its spokesman in Parliament. It was therefore thought essential that they should have a seat in one or other House of Parliament, and that when they spoke they should be able to command attention, either on account of their rank or their political distinction. But it was thought equally essential that they should be sound in the Tory faith. It is true that the slightly whiggish sentiments of the Duke of Gloucester, who was elected Chancellor in 1811, were forgiven him because he had earned the respect and goodwill of many Tory members of the Senate by his active opposition to slavery and the slave trade;<sup>1</sup> but it was not under this banner only that he conquered, for he was much assisted by the fact, that his rival on this occasion, the Tory Duke of Rutland, was High Steward of the Town of Cambridge, and therefore thought unlikely resolutely to defend the interests of the University when they clashed with those of the civic corporation.<sup>2</sup> The Duke of Gloucester's victory cannot therefore be taken to indicate a change in the political sentiments of the University.

The Cambridge Whigs, indeed, could not possibly hope to break this tyranny unless they found a candidate who was both personally acceptable and not very closely connected with either political party; but they had to wait some years before they found what they wanted. But the death of Lord Camden, the Chancellor, in October 1840 came to them as a call to battle. As he was in his eighty-second year his death was not unexpected; and, a few months before it occurred, Joseph Blakesley, a Fellow of Trinity and a staunch Whig, had invited Lord Lyttelton to come forward as a candidate for the High Stewardship of the University if the Duke of Northumberland, the then High Steward, succeeded Camden as Chancellor, as was thought likely.<sup>3</sup> Lyttelton was probably so completely taken by surprise as to wonder whether the

<sup>1</sup> Between 1788 and 1828 the University approved several petitions to Parliament against slavery and the slave trade. C. H. Cooper, *Annals*, vol. IV, pp. 426, 443, 550, 557.

<sup>2</sup> H. Gunning, *Reminiscences of Cambridge* (1854), vol. II, pp. 273-277; J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. I, pp. 108-109.

<sup>3</sup> Lord Lyttelton to W. Whewell, 28 February 1840, Whewell Papers.

invitation was seriously meant; for he was but twenty-three years old, and had only very recently been an undergraduate at Trinity. But Blakesley had not cast his net at random. Lyttelton had had a distinguished career at Cambridge, having been bracketed in 1838 with Charles Vaughan as Senior Classic and Chancellor's Medallist; and as it was most unusual for a nobleman to gain such honours, he was much esteemed, particularly in his own college. Moreover, though rather more of a Whig than of a Tory, he disapproved, being a strong High Churchman, of the Whigs' ecclesiastical policy, and could therefore be trusted to defend the connection between the University and the Church. Consequently, moderate Tories in the Senate, having the assurance that he would never betray the University to the enemies of the Establishment, and respecting his intellectual distinction, might be prepared to support him.

But being very young and also modest, he was at first only willing to pledge himself to stand if no candidate appeared whom he "might think it presumptuous to oppose";<sup>1</sup> but he withdrew this condition when Blakesley pointed out the difficulties it would create. He, however, insisted upon his candidature being supported by Christopher Wordsworth and Whewell, and it was not only loyalty to the Master of his college and his former Tutor that induced him to make this stipulation. Realising that if he came forward as a Whig candidate he would certainly be defeated, he was determined to rest his claim to be elected, not on "anything like party politics", but upon "the distinction I was fortunate enough to obtain in my University career";<sup>2</sup> and he probably hoped that if Wordsworth and Whewell, who were both Tories, supported him, they would carry other members of their political party into his camp, and that therefore he could not be accused of standing in the Whig interest.

In a letter which he wrote to Whewell on 28 February 1840, he expressed a wish to learn his sentiments,<sup>3</sup> but it was some days before his curiosity was satisfied. This delay was not due to a conflict between political loyalty and tutorial affection in Whewell's breast. He was, indeed, much attracted by the idea of a non-party candidate; for he anticipated that the leading Tories in the University would ask Lord Lyndhurst to stand for the High Stewardship in the event of a vacancy,

<sup>1</sup> Lord Lyttelton to W. Whewell, 15 October 1840, Whewell Papers.

<sup>2</sup> Lord Lyttelton to W. Whewell, 28 February 1840, Whewell Papers.

<sup>3</sup> Lord Lyttelton to Whewell, 28 February 1840, Whewell Papers.

and was strongly of the opinion that Lyndhurst, on account of his reputation as a political adventurer and the many scandalous rumours about his private life, was quite unfitted to hold academic office.<sup>1</sup> He doubted, however, whether Lyttelton, being so young and comparatively unknown outside Cambridge, would win much support, particularly among the non-resident electors; and, believing that heavier metal was needed, he appealed to Lord Burlington to come forward as a candidate. He acted very wisely in doing so. Burlington was quite as academically distinguished as Lyttelton, having been second wrangler, and eighth classic; and as he was nine years older and had represented the University in Parliament, he had far stronger claims. Also, though he was a Whig, he was not an active one, having abandoned politics when he succeeded to his title in 1834; and he therefore might find favour with moderate Tories, who appreciated intellectual merit and worth of character.<sup>2</sup>

Burlington, however, declined the invitation, being convinced that he could not possibly gain a sufficient number of Tory votes to secure a victory;<sup>3</sup> and, immediately on receiving his refusal, Whewell informed Lyttelton that "if you come forward as a candidate for the office of High Steward on the next vacancy, I shall have great pleasure in giving you my vote and support". But, remembering that he had once stood to Lyttelton *in loco parentis*, he took the opportunity of instructing him in the value of church control of education. He explained that the secularisation of education must inevitably bring about the downfall of the Church, which would be the greatest disaster that could befall the nation; and that therefore it "must be the business of our statesmen to secure the permanency of a sympathy between Church and education".<sup>4</sup>

<sup>1</sup> In a letter to Hare, dated 13 October 1840, Whewell remarked: "I should certainly be ill pleased to see Lord Lyndhurst represent us", and he was not singular in this, for Dr Corrie, who was an irreclaimable Tory, only voted for Lyndhurst "after much hesitation". There was some justification for regarding Lyndhurst as politically unprincipled, but there seems to have been no foundation for the scandalous stories about his private life. Those who wish to plumb the depths of malignancy should refer to Sir Robert Heron's *Notes* (second edition, 1851), p. 254. See also Whewell Papers; M. Holroyd, *Memorials of the Life of G. E. Corrie* (1890), p. 151.

<sup>2</sup> A copy of Whewell's letter to Lord Burlington is not among the Whewell Papers; but as Lord Burlington in his reply, which is dated 9 March 1840, implies that he had received it a week before, it was probably written after Whewell had received Lord Lyttelton's letter, which is dated 28 February.

<sup>3</sup> Lord Burlington to W. Whewell, 9 March 1840, Whewell Papers.

<sup>4</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 201.

In short, Lyttelton must be prepared to die in the last ditch in defence of the University against the Dissenters.

Lyttelton did not at this stage also write to Wordsworth, but Blakesley, who sounded him, reported that, though he had not definitely pledged himself, he was on the whole favourable.<sup>1</sup> Possibly the Master of Trinity was unwilling to commit himself so far ahead to a candidate who was certain of support from the Whigs.

No further steps were taken until after Lord Camden's death in the following October, when it soon became clear that the Duke of Northumberland would be unanimously chosen to succeed him as Chancellor. Consequently the problem of finding a new High Steward came under active discussion, and Lyttelton was frequently mentioned as well qualified to hold that office.<sup>2</sup> But except in Trinity and Whig circles his candidature was not viewed with much favour. Extreme Tories of course objected to him as politically unsound, and many moderate men, who did not desire a party contest, thought him far too young and undistinguished.<sup>3</sup> Even Whewell possibly regretted having pledged himself, for he was not at all sanguine of Lyttelton's success. "I shall vote for him if he is proposed," he wrote to Hare on 13 October, "but I think the wish of the University is for some older man."<sup>4</sup>

Lyttelton's supporters, however, were determined to give battle, and at a meeting in the Trinity Combination Room on Friday, 16 October, they agreed formally to invite him to be a candidate.<sup>5</sup> He was unable immediately to accept that invitation, for when it reached him he had not received that assurance of Wordsworth's support, for which he had stipulated from the beginning but had delayed to ask for until after Lord Camden's death. Little time, however, was thereby lost, as Wordsworth's letter, promising support, arrived a day or so later, and thereupon Lyttelton published his address, in which he announced his intention of being "a candidate for the office of High Steward of the University in the event of a vacancy being caused by the election of His Grace, the Duke of Northumberland, to the Chancellorship".<sup>6</sup> This was

<sup>1</sup> Lord Lyttelton to Whewell, 15 October 1840, Whewell Papers.

<sup>2</sup> W. Whewell to Lord Lyttelton, 13 October 1840, Whewell Papers.

<sup>3</sup> Romilly noted in his *Diary* that "Ainslie and a large body of the University would have preferred bringing forward Lord Northampton"—*Diary of J. Romilly*, 16 October 1840. Lord Northampton was the President of the Royal Society.

<sup>4</sup> W. Whewell to J. C. Hare, 13 October 1840, Whewell Papers.

<sup>5</sup> *Diary of J. Romilly*, 16 October 1840.

<sup>6</sup> University Papers, University Library, A.B. 41.

the signal for active operations to begin, and committees were set up in London and Cambridge.<sup>1</sup>

Lyttelton was certainly courageous, for he was aware that Lord Lyndhurst had accepted an invitation from the Cambridge Tories to be a candidate;<sup>2</sup> and two combatants can hardly ever have been more unequally matched since the day when David went out against Goliath. Lyndhurst, like his rival, was a Trinity man and academically distinguished, having been second wrangler; but he could boast far greater honours than a good degree. He had been Lord Chancellor and was a pillar of his party, and therefore could render far more valuable assistance to the University than a comparatively unknown young man who had yet his reputation to make. It is true that many of the Fellows of his college held him in aversion and disliked his political opinions; but it was probable that most of the Tory members of the Senate, though they would have preferred a more respectable candidate, would follow their leaders and give him their votes. Indeed, the dice were loaded against Lyttelton from the outset, and his only chance of victory was, as he had always known, to emphasise the non-party character of his candidature. In this he was ably seconded by his supporters. Though the leading Cambridge Whigs attended the meeting in the Trinity Combination Room, they did not sign the invitation to him which that meeting approved.<sup>3</sup> Moreover, his whiggism was denied, even to the extent, according to *The Times*, of describing him as a member of the Conservative party; and it was somewhat whimsically thought desirable that his London committee should sit in the same room in the British Coffee House as had been used by the Duke of Northumberland's committee when that nobleman stood for the High Stewardship, as it would have "a stink of Conservatism in it" which would be "most precious".<sup>4</sup> Sometimes, indeed, Lyttelton's friends went rather far in their attempts to wash their Ethiopian white, as, for instance, when they announced that the Master of Trinity had accepted the chairmanship of Lyttelton's

<sup>1</sup> Frances M. Brookfield, *The Cambridge "Apostles"* (1906), pp. 93-96.

<sup>2</sup> University Papers, University Library, A.B. 41. Lord Lyndhurst was on the Continent when he was invited to stand, but he instructed a friend to act for him.

<sup>3</sup> "A meeting... at 10 to deliberate about the conduct of the Whig party at the meeting of the friends of Lord Lyttelton at Trinity Combination Room to-day at 11; resolved that they should come but should not sign the requisition, lest it should look like a Whig affair"—Diary of J. Romilly, 16 October 1840.

<sup>4</sup> Frances M. Brookfield, *The Cambridge "Apostles"* (1906), pp. 93-96.

Cambridge committee before he had actually done so.<sup>1</sup> But they strove in vain; for the London Tory papers, which displayed the most lively interest in the election, insistently contended that the contest was purely political, and that every vote given for Lyttelton was a vote for the Whigs.

Lyttelton's supporters were, indeed, hard put to it to justify his candidature, and were therefore often more ingenious than convincing. It was, for instance, seriously urged that as the new Chancellor, the Duke of Northumberland, was a member of St John's College, the University ought to accept as High Steward the candidate whom Trinity supported. "As we Trinity men", declared Whewell, "allow the Johnian Chancellor, the Duke of Northumberland, to walk into his dignity without opposition, we have good right, and I think also good reason, to believe that if we in Trinity are well agreed upon our choice, they will not oppose it."<sup>2</sup> But this principle of selection was not likely to be acceptable to the University, and this was not the only weakness. The much advertised unanimity of Trinity opinion was confined to the resident members of the college. Some distinguished ex-Fellows of the college were serving on Lord Lyndhurst's London committee, and of the four hundred and sixty-nine Trinity men who voted at the election, two hundred and twenty-seven voted for Lord Lyndhurst. Moreover, even the resident Fellows of the college had not been brought to be of one mind without much hard work and canvassing.

"You talk", wrote Whewell to Hare, "of an unanimous determination to start Lord Lyttelton, talking, as it is your nature to do, like a good and affectionate son of the college. But it is only common fairness to tell you that this way of putting the matter does not truly represent the actual state of things. The determination is that of Blakesley particularly, and a few of the younger Fellows whom he has, for some time back, been engaging to join in this project when the occasion arrived."<sup>3</sup>

It is likely enough that some of the more senior Fellows would have preferred a better known and older candidate, and therefore needed some persuasion to follow the lead of their juniors.

The excitement was great, and men, generally reasonable, spoke wild and whirling words. Frederick Denison Maurice, for instance, solemnly

<sup>1</sup> W. Whewell to J. C. Hare, 24 and 29 October 1840, Whewell Papers.

<sup>2</sup> W. Whewell to Lord Lyttelton, 13 October 1840, Whewell Papers.

<sup>3</sup> W. Whewell to J. C. Hare, 24 October 1840, Whewell Papers.



declared that as a clergyman he must vote against Lyndhurst, and that Lyttelton's election would do more "than almost any movement I can think of to frighten knaves and encourage honest men".<sup>1</sup> But, though there was much bitter feeling, there was also much good sense. Thus the two parties agreed that the new High Steward should not be appointed by Grace, as was customary, but *secundum morem in Electione Burgensium receptum*,<sup>2</sup> which saved the Vice-Chancellor from making the delicate decision which of the two candidates should be named in the Grace, and also insured that the Senate would only be required to vote once. They also agreed that the election should extend over three days, and this was a wise arrangement, as it gave the non-resident electors, many of whom were busy men, a choice of days on which to come and vote.<sup>3</sup> As the contest had aroused keen interest in London and throughout the country, it was important to dispel any suspicion of the resident members of the Senate having an unfair advantage.

The first election day was Wednesday, 11 November, and votes were received in the Senate House from nine o'clock in the morning until a quarter past four in the afternoon. The proceedings were very lacking in decorum. The undergraduates in the galleries were extremely noisy, bawling out witticisms upon Lyttelton's youth and giving three cheers for his nurse; and on the floor of the house there was "such pushing and squeezing of the Masters of Arts, that the Vice-Chancellor . . . retired into the state chair, and declared that he could not proceed till the Masters of Arts ceased to crowd round the table".<sup>4</sup> By the end of the day four hundred and twenty votes had been recorded for Lyndhurst, and only two hundred and ninety-two for Lyttelton; and any hopes which the latter's supporters may have had of regaining the lost ground were completely shattered by the state of the poll at the end of the second day, which showed nine hundred and twenty-three votes for Lyndhurst and four hundred and fifty-seven for Lyttelton.<sup>5</sup> The issue of the battle was no longer in doubt, though the poll was kept open for an hour on the following Friday morning, 13 November. The closing scene provided a dramatic incident. On that Friday morning John Kaye, Bishop of Lincoln, came to record his vote for Lyndhurst, who escorted him up the Senate House "between a double file of mem-

<sup>1</sup> Frances M. Brookfield, *The Cambridge "Apostles"* (1906), pp. 93-96.

<sup>2</sup> This departure from custom was sanctioned by a Grace.

<sup>3</sup> Diary of J. Romilly, 26 October 1840.

<sup>4</sup> Diary of J. Romilly, 11 November 1840.

<sup>5</sup> *Ibid.* 11, 12, 13 November 1840.

bers of the Senate". Kaye gave in his voting card "amidst the most deafening cheers from the galleries, responded to from below with long continued waving of hats and caps".<sup>1</sup> This display of enthusiasm is somewhat inexplicable, but it may be that as Lyttelton had been so widely proclaimed as the champion of Christian piety and conduct, Lyndhurst and his friends were particularly gratified by this episcopal blessing.

They had good cause to be exuberant, for they had won a great victory. Of the one thousand, four hundred and sixty votes recorded, nine hundred and seventy-three had fallen to Lyndhurst. Lyttelton had suffered a great humiliation, and so had Trinity. Blakesley had, indeed, vastly exaggerated the influence of his college. That influence was certainly very great, but it could not work miracles; and it would have been not far short of a miracle if the Cambridge Senate had been persuaded to prefer a whiggishly inclined young nobleman, who could only boast birth, brains and respectability, to a renowned Tory statesman who enjoyed the confidence and friendship of his political chief, Sir Robert Peel.<sup>2</sup> For that confidence and friendship most eloquently refuted the many slanders on Lyndhurst's private life.

Yet the wisdom of so fastly anchoring the University to one political party was questionable. It is true that Lord Melbourne's Ministry was entering upon its death agony, and that it could not possibly be long before Sir Robert Peel was Prime Minister; but, sooner or later, the Whigs would come back into office, and the University might have need of their good will to protect it against the Commission which Lord Radnor had already advocated.<sup>3</sup> Yet very few at Cambridge took that possibility into account, and subsequent events seemed to justify optimism. In 1841 the Queen authorised Peel to form an administration, and the general election which followed gave him a substantial parliamentary majority. And in a Tory House of Commons the advocates of a University Commission had a difficulty in obtaining even a respectful hearing. When in 1844 William Christie, a former Scholar of Trinity, rose to move an address to the Queen, "praying that she would be

<sup>1</sup> *Cambridge Chronicle*, 14 November 1840.

<sup>2</sup> In a letter, dated 25 October 1840 and addressed to Sir John Beckett, the Chairman of Lord Lyndhurst's London Committee, Peel declared that he considered it "a paramount obligation to do all in my power for a man of superior pretensions, but, above all, for a former colleague and personal friend". Sir Theodore Martin, *Life of Lord Lyndhurst* (1883), pp. 238-239.

<sup>3</sup> See p. 95.

graciously pleased to issue a Commission to inquire into all matters relating to . . . the Universities of Oxford and Cambridge", the house was so empty that it was counted out;<sup>1</sup> and he was only a little more successful when in the following year he brought forward the same motion again, for it was most decisively rejected.<sup>2</sup> Consequently, Cambridge became over confident. Men, who in the thirties had believed that the foundations of the University, and perhaps of the Universe, were fleeing, now began to think that the storm was over, and that henceforth they could live peaceably in their habitations.

They were pitifully wrong. In June 1846 Sir Robert Peel, having shattered his party on the rock of free trade, resigned office, and a Whig Ministry under Lord John Russell was formed. As, however, the new Government did not command a majority in the House of Commons, and depended for its existence upon the division in the Tory ranks, the Whigs were not quite the menace that they had been in 1832. Yet the University had reason to be uneasy. The Tory party, with which it had linked its fortunes, was now rent in twain, and could not therefore be depended on for the succour it had given in the past.

This consideration possibly occurred to Whewell when on 12 February 1847, he heard in London that the Chancellor of the University, the Duke of Northumberland, had been found dead that morning in his bed at Alnwick.<sup>3</sup> The Tories could not possibly welcome a political contest for the vacant office at this particular juncture, but they could not avoid one if they nominated a party candidate, as the Cambridge Whigs, encouraged by the disarray in the ranks of their opponents, were most unlikely to remain inactive. But it must have seemed to many almost a fruitless quest to search for a candidate, who was sufficiently eminent in public life to be worthy of the highest honour which the University could confer, and yet so entirely without political connections that he could not be said to belong to either party. Whewell, however, was quick to think of such a man, and, indeed, so surprisingly quick as to suggest that this was not the first time that he had considered the problem of a suitable successor to the Duke of Northumberland. On Saturday, 13 February, he wrote to Anson, the Treasurer of Prince Albert's Household, to enquire whether the Prince would be willing to be nominated as a candidate for the vacant Chan-

<sup>1</sup> *Hansard*, 3rd Series, vol. LXXIV, p. 1459.

<sup>2</sup> *Ibid.* vol. LXXIX, pp. 393-454.

<sup>3</sup> Whewell's Journal, 12 February 1847, Whewell Papers.

cellorship,<sup>1</sup> and followed up this letter by an interview with Anson at Buckingham Palace.<sup>2</sup>

Prince Albert was not a stranger to Cambridge. He had accompanied the Queen when she visited the University in October 1843, and had honoured his hosts on this occasion by becoming a member of Trinity and a Doctor of Laws. But it was daring to think of him as a possible Chancellor. He had not been educated in England, and knew little or nothing about English Universities. He had no seat in the House of Lords, and therefore could not discharge the Chancellor's duty of defending the University against attacks in Parliament. Moreover, as the Queen's husband he could not openly oppose a ministerial onslaught upon the University without arousing the suspicion that the Ministers had forfeited the confidence of the Crown. Yet, though these objections were serious and deserved to be taken into account, Whewell was wise enough to understand that the Prince as Chancellor could render service of inestimable value to the University. As he took a most enlightened interest in education, he could be counted upon to do his utmost to promote the efficiency of the University, and might, as Whewell and many other Cambridge residents hoped, thereby avert the menace of a Commission. Also his close connection with the Crown was not altogether a disadvantage, as it would give him far more influence with the Government than University Chancellors generally had. Nor was it an immaterial consideration that by electing him the University would dissociate itself from party strife.

Prince Albert, on the advice of Lord Lansdowne, the President of the Council, whom he immediately consulted,<sup>3</sup> returned the answer that "should a requisition be presented in such a manner as to convey to His Royal Highness a certainty that his election would meet the unanimous desire of the University of Cambridge, His Royal Highness would feel much pleasure in consenting to be put in nomination".<sup>4</sup> He was of

<sup>1</sup> Whewell mentions in his Journal that "the principal reason why I proposed Prince Albert was that I thought it would avert a contest".

<sup>2</sup> In his letter to Anson, which is dated Saturday, 13 February 1847, Whewell asks to be allowed to call at the Palace; and it seems that he was permitted to do so, as in his second letter to Anson, which is dated 15 February, he refers "to our conversation on Saturday"—Royal Archives, Windsor Castle.

<sup>3</sup> Lord Lansdowne had been an undergraduate at Trinity, and the Prince may have turned to him on that account.

<sup>4</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. 1, pp. 385 ff.; Lord Monteaigle to W. Whewell, 14 February 1847, Whewell Papers; Lord Lansdowne to Prince Albert, 15 February 1847, Royal Archives, Windsor Castle.

course perfectly justified in stipulating for unanimity. It was not seemly that he should engage in a contest, even if he emerged from it victorious, and his defeat would be injurious to the Crown. Whewell could not have expected an unconditional acceptance of his invitation, and he returned well pleased to Cambridge to sound opinion there.

He found it most favourable. The same thought had occurred to Adam Sedgwick, and, what was still more encouraging, to the Tory Master of Jesus, Dr French.<sup>1</sup> Moreover, nearly all the Heads of Houses, though most of them were Tories, approved the proposal, though they were doubtless less influenced by a desire for educational reform than by the fear that, as their own party was in warring fragments, the Whigs might take the opportunity of saddling the University with a Chancellor of their own way of thinking. But Whewell had not been many hours in Cambridge before he heard to his great disgust that, immediately on learning of the Duke of Northumberland's death, the Master and Seniors of St John's had invited Lord Powis, a former undergraduate of their college, to be a candidate.<sup>2</sup>

This quite unexpected action of St John's threatened to wreck a promising plan, for the Prince had stipulated that he should not be opposed. Therefore, unless he went back upon his word, he would decline nomination if Lord Powis accepted the invitation of his college and, even if the Prince could be persuaded to stand a contested election, it was by no means certain that he would be victorious. Though Lord Powis was a Tractarian, and therefore suspected by some of disloyalty to the Church of England, he had endeared himself to many churchmen by his strenuous opposition to the scheme for the creation of a Bishopric of Manchester by the union of the Sees of Bangor and St Asaph; and, as he was also a sound Tory, he could be safely trusted to defend the University against Whigs and Dissenters. Moreover, as an Englishman educated at Cambridge, he was likely to appeal more strongly to members of the Senate than a foreign Prince who had only been a few years in the country and was accused of the heresy that England had much to learn from Germany; and though a prominent Whig politician acrimoniously described Lord Powis as "a deaf old woman whose only

<sup>1</sup> Whewell's Journal, Whewell Papers.

<sup>2</sup> In a draft of a letter, dated 22 February 1847, Whewell mentions that the invitation to Lord Powis was approved by "an ordinary college meeting of his own college", meaning presumably thereby a meeting of the Master and Seniors—Whewell Papers.

distinction is a close connection with Puseyism",<sup>1</sup> less prejudiced observers were inclined to think more highly of him. Therefore the supporters of Prince Albert had good reason to be alarmed. They rightly feared that the election of Lord Powis would be taken as an indication that the University did not intend to progress along the path of reform, and that consequently the Whig Ministry would be more ready to accept the advice of those who were clamouring for the appointment of a Commission.

Lord Powis was at his house in Shropshire when he received the invitation of his college, and therefore, when on Monday, 15 February, he accepted it, he was possibly unaware the Prince had been approached.<sup>2</sup> There was consequently a hope that he might withdraw that acceptance on becoming better informed. For on that same Monday the Vice-Chancellor and thirteen other Heads of Houses had approved an address to the Prince, requesting permission to nominate him as a candidate for the Chancellorship, and had deposited it at the Master's Lodge of St Catharine's, the Vice-Chancellor's college, for signatures;<sup>3</sup> and on the following day Dr Graham, the Master of Christ's, expressed the opinion that when Lord Powis "is informed of the proceedings which took place yesterday in the University, he will have no other feeling than a desire to join in the homage of respect proposed to be paid to His Royal Highness".<sup>4</sup> The wish was probably father to the thought. Lord Powis was, indeed, given an opportunity of withdrawing, as immediately on receiving his acceptance the Master of St John's wrote to inform him that the Prince might be a candidate; but he replied that he desired to stand by his word and his friends.<sup>5</sup> He could hardly have given a different reply without loss of dignity. Though he fully appreciated the unpleasantness of competing with the Queen's husband for the votes of members of the Senate, he also realised that by retiring he would incur the charge of servility to the Court. For the news that he had consented to be a candidate had got abroad. It had been published on Monday, 15 February, in the London evening newspapers;<sup>6</sup> and on the following

<sup>1</sup> Lord Monteagle to W. Whewell (undated), Whewell Papers. Lord Monteagle as Thomas Spring-Rice had been Chancellor of the Exchequer in Lord Melbourne's second Ministry.

<sup>2</sup> University Papers, University Library, A.B. 1.

<sup>3</sup> *Ibid.*

<sup>4</sup> Dr Graham to Colonel Phipps, 16 February 1847, Royal Archives, Windsor Castle. Colonel Phipps was Prince Albert's private secretary.

<sup>5</sup> Document headed "St John's College, 18 February 1847", Whewell Papers.

<sup>6</sup> Diary of J. Romilly, 15 February 1847.

Wednesday a meeting of non-resident members of the Senate had been held in London, at which a committee had been constituted for the promotion of his candidature.<sup>1</sup> His friends in the University were certainly well pleased that he stood fast. When his second letter was communicated to those members of the Senate who had been summoned to a meeting in St John's Combination Room on Thursday, 18 February, it was unanimously resolved to "use the utmost efforts to promote his election".<sup>2</sup> A Cambridge committee was also appointed to organise a canvass on his behalf.

On that Thursday he was the only candidate, for the address to the Prince, which the Heads had approved on the previous Monday, was still lying at St Catharine's Lodge, as it was obviously impossible to present it until Lord Powis's final intentions were known. But time was of account, as a vacancy in the Chancellorship had to be filled within fourteen days after it had been announced; and as there was no reason for further delay,<sup>3</sup> the supporters of the Prince assembled in the Trinity Combination Room on Friday, 19 February, with Whewell in the chair. It was a distinguished gathering, "comprising", according to a newspaper report, "most of the Heads, Professors and residing Fellows in the University"; and it took important action. Having unanimously approved Prince Albert as a candidate, it resolved that the Vice-Chancellor should present the address to him on the following day, and it further proceeded to appoint a committee, consisting of fourteen Heads of Houses, six Professors, nineteen Fellows of Trinity and fellows from every other college in the University except St John's.<sup>4</sup> This was a far more weighty body than Lord Powis's Cambridge committee, appointed the day before, which contained only two Heads, the Master

<sup>1</sup> Document headed "Committee Room, British Hotel, London, 18 February 1847", Whewell Papers.

<sup>2</sup> Document headed "St John's College, 18 February 1847", Whewell Papers.

<sup>3</sup> However, on Thursday, 18 February, Dr Graham reported to Colonel Phipps as follows: "A letter has been written this afternoon by the Vice-Chancellor to Lord Powis, describing to him the object and motives of the requisition to His Royal Highness, and stating that it has received the signatures of fifteen Heads of Colleges, and many members of the Senate. Lord Powis, as it is understood, will arrive in London this evening at eleven o'clock, when this letter will be delivered to him by Mr Cartmell of this college in the Vice-Chancellor's name. If Lord Powis should still persevere, it will then be with a full knowledge of the real facts of the case." There was, however, little hope that this appeal would turn Powis from his purpose. Royal Archives, Windsor Castle.

<sup>4</sup> Document headed "Committee Room, Cambridge, 19 February 1847", Whewell Papers.

of St John's and the President of Queens', and a few representatives from six colleges, of whom none were academically distinguished except the Public Orator and the Lady Margaret Professor of Divinity, who were both Johnians. Thus inside Cambridge it was practically a single college against the University; but if there was a contest that single college might prevail, for the non-resident vote would determine the issue. But the more immediate danger was that the Prince might reply in the negative to the address which the Vice-Chancellor was instructed to present to him; and, as a campaign on his behalf could not begin until his answer was known, the Vice-Chancellor undertook to telegraph it to the Cambridge committee. A simple code was agreed upon: A was to indicate acceptance, C, conditional acceptance and R, refusal.<sup>1</sup>

The Vice-Chancellor thereupon took the train for London, and on Saturday, 20 February, had an audience with the Prince at Buckingham Palace. After the address had been presented, the Prince handed him a written answer, in which he stated that he could not consent to be nominated. "Did it not appear", it ran, "from the proceedings entered into by others in the University, that there does not exist that degree of unanimity which alone would leave me at liberty to consent to be put in nomination, I should have felt both the greatest pleasure and pride in according to the desire expressed in the address."<sup>2</sup> Consequently, about half-past three that afternoon, the Cambridge committee received a telegram from London, which consisted of the single but fatal letter, R, and by seven o'clock they had received, also by telegram, the text of the Prince's answer. About an hour later, the Vice-Chancellor having returned to Cambridge, a full meeting of the committee was held. There were many doleful faces at it, and Dr Graham was particularly depressed. He said that, from private information which had reached him, he was certain that the Prince's answer was final, and that "we should be behaving disrespectfully to him if we pressed the business".<sup>3</sup> It was difficult to refute his advice, but very unpalatable to accept it. Every

<sup>1</sup> Whewell's Journal, Whewell Papers.

<sup>2</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. 1, pp. 385 ff. It is of some interest that the Queen believed that the Prince had refused. "The University of Cambridge has lost its Chancellor by the death of the Duke of Northumberland, and is very anxious to elect Albert, all, with the exception of St. John's College which has put up Lord Powis, being unanimous about it. The latter, however, will not give up, and my beloved Albert could not countenance a contested election, which would be very unbecoming and indecorous, so he has declined the offer." *Diary of Queen Victoria*, 20 February 1847.

<sup>3</sup> *Diary of J. Romilly*, 22 February 1847.



Trinity man on the committee was appalled by the thought of having to surrender to St John's; and far more than Trinity prestige was at stake. All Whigs and many Tories were convinced that the election of Lord Powis would have disastrous consequences for the University. In a letter to that nobleman, which was never sent, Whewell, speaking for many, emphatically declared that "your election will mark the resolution of the University and the Church to assume an attitude of suspicion and hostility towards the State";<sup>1</sup> and the possible penalty for adopting such an attitude did not require emphasis. It is not therefore, perhaps, surprising that a majority of the committee declined to surrender to the enemy. They carried the resolution that, though the Prince had unfortunately declined the invitation, the committee "by no means abandon the hope of seeing their wishes realised, believing them to be connected with the honour and well being of the University and to represent the opinions of a great majority of the Senate; and that with this view the committee meet again on Monday at 10".<sup>2</sup>

It was a gallant gesture, but probably even the men who made it believed that the evil hour of surrender had only been postponed, and that on Monday the committee would decree its own dissolution. But within an hour or so the situation underwent a most surprising change. At eleven o'clock on that Saturday evening, James Cartmell, then a Fellow of Christ's, arrived in Cambridge from London, bringing a letter to Whewell from Lord Monteaule, who had been actively working for the Prince.<sup>3</sup> "I think," wrote Monteaule, "when you read the Prince's answer, you will see that 'R' was sent by mistake. The answer is no refusal, and should not be received or understood as such. This is the opinion of three best qualified to form an opinion."<sup>4</sup> A letter, which Lord Lansdowne addressed to Colonel Phipps on that same eventful Saturday, conclusively proves that he was one of these three: "I hope, however," he wrote, "I have not done wrong, notwithstanding, in giving it as my opinion to some who have consulted me that they should proceed."<sup>5</sup> Another of the three was possibly the Bishop of London, who wrote to Whewell to the same effect as Lord Monteaule.<sup>6</sup>

<sup>1</sup> Whewell's Journal, Whewell Papers.

<sup>2</sup> Whewell's Journal, Whewell Papers; Diary of J. Romilly, 20 February 1847.

<sup>3</sup> Francis Martin, Senior Bursar of Trinity, writing to Whewell from London on 18 February, mentioned that "everything that has been done in London is due to Lord Monteaule". Whewell Papers.

<sup>4</sup> Lord Monteaule to Whewell, Saturday night, Whewell Papers.

<sup>5</sup> Royal Archives, Windsor Castle.

<sup>6</sup> Whewell's Journal, Whewell Papers.

Lord Lansdowne had not done wrong, and if, as is possible, he drafted the answer to the University's invitation, he had a right to interpret it. The Prince had certainly refused his consent to be nominated, but he had not said that if, nevertheless, he was nominated, he would interpose and stop the proceedings by declaring that he would not, if elected, accept office. Though anxious to become Chancellor, in order that he might improve the University as a place of education, he had decided not to consent to stand for election if another candidate was in the field, but what he was to do if nominated without his consent was a question upon which he intended to take advice, if and when it arose. He therefore left his Cambridge supporters a free hand for the time being, and they took it. Though Whewell was very doubtful about the right course to adopt, and spent an anxious week-end consulting other Heads of Houses, he finally reached the conclusion that, if as chairman of the Cambridge committee he called a halt, he might be repudiated by the rank and file who would continue the fight without that guidance and control which he considered indispensable for victory.<sup>1</sup> Certainly, when the committee met again on the morning of Monday, 22 February, there was general agreement to nominate the Prince, despite his answer, and no one urged this more strongly than Dr Graham who on the previous Saturday had been so faint-hearted. It was therefore resolved that, as "many members of the Senate are determined to record their votes in favour of His Royal Highness, and many persons having expressed their earnest desire to assist in his election, it is expedient to use all possible exertion to accomplish that most desirable object"; and a circular, drafted by Whewell, was approved, calling upon members of the Senate to vote for the Prince.<sup>2</sup> On the same day a distinguished gathering at the Union Hotel in London appointed a committee to organise the non-resident vote.<sup>3</sup>

Thus the Prince was forced to take a final and momentous decision, and he turned for advice to Sir Robert Peel. "I want your advice on the

<sup>1</sup> In a letter to Colonel Phipps of 22 February, Whewell mentioned that "by continuing to act as chairman of the committee, . . . I hope to make this body of voters more numerous and more regular in their proceedings than they would otherwise have been"—Royal Archives, Windsor Castle. See also Diary of J. Romilly, 22 February 1847.

<sup>2</sup> University Papers, University Library, A.B. 1; Whewell's Journal, Whewell Papers. Dr Webb, Master of Clare, was apparently the only member of the committee who disapproved so strongly of this action as to resign.

<sup>3</sup> Whewell's Journal, Whewell Papers.

following questions", he wrote on Monday, 22 February. "Am I to abide by the declaration made in my answer, and to remain indifferent to what may be done at Cambridge, or ought I to take a further step in order to stay the possibility of my name appearing in a contest? . . . If I remain quiet, and my election is carried by a majority, am I to accept or refuse the honour proposed to me."<sup>1</sup> Peel had no difficulty in answering these questions. "My opinion", he replied on the following day, "is strongly in favour of permitting the election to take its course, and of accepting the office of Chancellor, for of the result of the contest I cannot have a doubt."<sup>2</sup> It is interesting to find that Lord Lansdowne was equally confident, having predicted three days earlier that the Prince would be elected by an overwhelming majority;<sup>3</sup> but both he and Peel were extremely rash to assume, as they apparently did, that because most of the Cambridge residents were in favour of the Prince, his success was certain. Colonel Phipps was far more cautious, giving a timely warning that, "however conducted, this election must share in much of the acrimony and disagreeable accompaniments of a contest";<sup>4</sup> but the Prince cannot be blamed for acting upon the advice of a Tory ex-Prime Minister and the Nestor of the Whig party. If these two statesmen were so assured of his victory, it might well seem a dereliction of duty to refuse an opportunity of assisting in educational reform. Though the prize was not glittering, it had the attraction of service, and the Prince therefore decided to let events take their course.

He was running a far greater risk of defeat than he and his advisers realised. Since Wednesday, 17 February, Lord Powis's London committee had been hard at work in canvassing for votes, and to be first in the field was no small advantage. Moreover, the London newspapers, and particularly *Punch*, were opposing the Prince's candidature;<sup>5</sup> and Francis Martin was much disappointed to find at the Oxford and Cambridge Club "an almost *universal* feeling in favour of Lord Powis".<sup>6</sup> Nor were only clubmen and the Press of this way of thinking. Beresford Hope, who was a Trinity man and a friend of Whewell, was happy to serve on Lord Powis's committee, because the struggle seemed to him

<sup>1</sup> Royal Archives, Windsor Castle.

<sup>2</sup> Sir Robert Peel to Prince Albert, 23 February 1847, *ibid.*

<sup>3</sup> Lord Lansdowne to Colonel Phipps, 20 February 1847, *ibid.*

<sup>4</sup> Colonel Phipps to Prince Albert, 22 February 1847, *ibid.*

<sup>5</sup> In an undated letter to Whewell, Lord Monteaule reported "we can do nothing with the Press, they are all working the other way". Whewell Papers.

<sup>6</sup> Francis Martin to W. Whewell, 18 February 1847, *ibid.*

“so clearly one in defence of the University, which . . . would be fatally compromised by the election of the Sovereign’s husband as its chief officer”;<sup>1</sup> and another distinguished Trinity man, William Frederick Pollock, was of the same opinion. In a letter addressed to Whewell and dated 21 February, Pollock explained why he intended to vote for Lord Powis:

First, to prevent the election of the Prince Consort, and so to maintain the true dignity and independence of the University, which would be sacrificed by committing its highest functions to the keeping of a personage without any substantial existence of his own but wholly merged in the Crown: from his position inaccessible in the ordinary ways in which a Chancellor is addressed, and even disqualified from discharging the usual courtesies as well as the duties of the office. Secondly, to protest against the proceedings of the resident members of the Senate. The Senate now consists of about 3,500 members, of whom only some 300 are resident. Railway communication now brings us all much nearer to Cambridge, and the strongest feeling exists among the non-residents that no important step should be taken without, at least, some endeavour to ascertain their opinion, if that step is to be assumed to be the act, or to represent the wishes, of a majority of the body.<sup>2</sup>

Pollock’s fears for the independence of the University were exaggerated, and he had apparently not noticed that St John’s had not taken non-resident opinion into account before inviting Lord Powis to stand.<sup>3</sup> But there is no doubt that many quite reasonable men were prejudiced against the Prince, suspecting that he might wish to remodel Cambridge on the lines of a German University, and be reluctant to defend the University against the Government, for fear of causing discord between the Queen and her constitutional advisers. The answer to these objections was of course that the University was more likely to be left to work out its own salvation if it elected as its Chancellor a man who, free from party connections and having enlightened views on education, might be accepted by the Whig Ministry as an assurance that Cambridge was prepared to reform itself; but as this weighty consideration had to be discreetly left in the background, the Prince’s supporters were compelled to resort to less respectable and far weaker arguments. Good Protestants were called upon to save the University from Popery disguised as

<sup>1</sup> A. J. Beresford Hope to W. Whewell, Friday night, *ibid.*

<sup>2</sup> Whewell Papers.

<sup>3</sup> In a draft of a letter to a non-resident, possibly Pollock, Whewell pointed out that Lord Powis in his letter expressly assigned the invitation of the “resident members as the reason why he came forward”. The draft is dated 22 February. *Ibid.*

Tractarianism. Trinity men were called upon to show their hatred of St John's by voting against the candidate of that college; and loyal subjects were called upon to vote for "the noble-hearted husband of our noble-hearted Queen".<sup>1</sup> Yet many members of the Senate, though unimpeachably loyal, protestant and abhorers of St John's, remained unshaken in their conviction that the Chancellor ought to be an Englishman and a Cambridge man; and it is significant that George Pryme, though a Trinity man and a Whig, could not make up his mind until the last moment to vote for Prince Albert.<sup>2</sup> Both camps, as usual, professed to be confident of victory, but both knew that the non-residents were certain to attend in great numbers.

It was arranged that the election should begin on the morning of Thursday, 25 February, and continue for three days. On the first day votes were accepted from ten o'clock in the morning until five o'clock in the afternoon, and again from eight to nine in the evening; and by the end of the day twelve hundred and nineteen votes had been recorded: a "prodigious number" according to Romilly, the Registry. What is more, they had been very evenly distributed, the Prince receiving six hundred and seventeen votes, and Lord Powis, six hundred and two. The comic relief was provided by the undergraduates who crowded the galleries of the Senate House. When Lord Fitzwilliam, arrayed in a scarlet gown, gave his vote for Lord Powis, one of them called out, "here she is, . . . the Lady of Babylon"; but unfortunately they did not confine themselves to harmless pleasantries: during the evening hour they "howled and hooted, and made themselves hateful".<sup>3</sup> It is pleasanter to record that feeling did not run high enough to prevent old friends in opposite camps from dining together. At half past five that day about two hundred and forty Trinity graduates sat down to dinner in their college hall; and even the most bellicose did not resent this truce between the trenches. Adam Sedgwick, who as Vice-Master presided, proposed "in a kind way for both sides" the toast of the non-

<sup>1</sup> A poem among the Whewell Papers describes the Tractarians voting for Lord Powis because they wish to restore papal authority in England, and the Johnians as voting for him because "the Dons of Trinity and King's oppose him". Another poem in the same collection accuses Lord Powis' supporters of "wounding their Sovereign in her woman's heart".

<sup>2</sup> *Autobiographic Recollections of George Pryme* (1870), p. 314.

<sup>3</sup> Diary of J. Romilly, Thursday, 25 February 1847. Whewell in his Journal gives the Prince a majority of seventeen at the end of the first day, but Romilly, being Registry, is the more reliable authority.

resident voters, for which Lord Nelson, the chairman of Lord Powis' London committee, returned thanks and proposed Sedgwick's health, which was "received with great applause".<sup>1</sup>

On the following day polling went on again for eight hours but less briskly, only four hundred and forty-five votes being recorded. As, however, two hundred and fifty-eight of these had been given for the Prince, he had done better than on the first day, having established a lead of eighty-six votes. In other ways the second day was much like the first. The undergraduates were even more unruly, blowing horns, braying, and pelting the voters with peas, shot and halfpence; and again more than two hundred graduates sat down to dinner in Trinity.<sup>2</sup> At noon on the following day polling ceased; and the Prince, having received one hundred and seventeen more votes than Lord Powis, was declared elected. But as the quite unprecedented number of seventeen hundred and ninety-one votes had been given, he had by no means gained an overwhelming victory; and though the church bells rang and flags flew, his supporters were not so happy as they professed to be.<sup>3</sup> Was it not possible that he might refuse an honour which so many members of the Senate were unwilling to allow him? The Vice-Chancellor certainly thought so. When he communicated to Colonel Phipps the result of the election, he expressed the earnest hope that "His Royal Highness will not decline to accept the mark of high respect and esteem which the University presents to him."<sup>4</sup>

The Prince had certainly been wondering what he ought to do. On Friday, 26 February, by when it was clear that, if he won the election, it would only be by a comparatively small majority, he turned again to Sir Robert Peel for advice, requesting him to be at Buckingham Palace at one o'clock on Saturday afternoon.<sup>5</sup> Apparently he expected, if elected, to be asked immediately to receive a deputation from the University, bringing the offer of the Chancellorship; and he wished for advice as to the answer he should give. Peel had no doubts at all. "As the time will be very short", he replied, "between my interview with your Royal Highness and the arrival of the deputation from the Univer-

<sup>1</sup> *Ibid.*

<sup>2</sup> Diary of J. Romilly, 26 February 1847.

<sup>3</sup> *Ibid.* 27, 28 February 1847.

<sup>4</sup> Dr Philpott (the Vice-Chancellor) to Colonel Phipps, 27 February 1847, Royal Archives, Windsor Castle. See also Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. 1, p. 387.

<sup>5</sup> Sir Robert Peel's acknowledgment of this summons, is dated "Friday", that is, 26 February. Royal Archives, Windsor Castle.

sity, I have thought it might be convenient to your Royal Highness to receive from me, some time before my having the honour of seeing your Royal Highness, the accompanying papers."<sup>1</sup> In one of these papers the arguments for the acceptance of the Chancellorship by the Prince, even if elected "with the smallest majority", were set out, and the other was a draft of an answer to the deputation. Peel urged acceptance as strongly as he possibly could. He pointed out that the smallness of the majority was quite accounted for by the peculiar circumstances of the election, that "a very large proportion of the most eminent men in the University and almost all the chief academical authorities", had voted for the Prince, and that "a refusal would deeply offend the strongest and the best party in the University".<sup>2</sup> There could have been little for him to add when he saw the Prince, who probably was easily persuaded to accept. As he had not protested when his supporters had nominated him as a candidate, he could hardly do otherwise than abide by the result of the election.<sup>3</sup> "All those whom I have seen", wrote Lord John Russell on the Saturday, "concur in thinking that a refusal on the part of Your Royal Highness would create confusion and dissatisfaction."<sup>4</sup>

But, to the Prince's great surprise, no deputation arrived at the Palace that afternoon, and the only notification received from Cambridge of the result of the election was the letter from the Vice-Chancellor to Colonel Phipps, which said nothing about a deputation, and merely stated that "the official letter will be made out". This was felt to be pressing informality to extreme lengths, and, in acknowledging this communication, Colonel Phipps intimated that something more was

<sup>1</sup> Sir Robert Peel to Prince Albert, 27 February 1847, *ibid.*

<sup>2</sup> This paper is reproduced in Sir Theodore Martin's *Life of the Prince Consort* (5th edition), vol. I, p. 388.

<sup>3</sup> It is quite clear that the Prince decided on the Saturday to accept the Chancellorship. The entry in the Queen's diary on that day runs as follows: "Though Albert had declined becoming Chancellor of Cambridge, the people there have insisted upon putting up his name. The election... was closed today, Albert being elected by a majority of 118. We are much gratified, and I appreciate the extreme kindness and respect for my dearest Albert shown by all the leading men of the highest rank and science and standing. It proves that there is genuine unanimity, and Albert on the advice of good Sir Robert Peel (which is always valuable) is accepting the post.... After luncheon saw Lord John Russell who talked of the Cambridge election, ... next saw Lord Lansdowne who spoke principally about the Cambridge election, saying that all the cleverest men were amongst those on my beloved Albert's side." The Prince's majority was 117, not 118 as the Queen stated.

<sup>4</sup> Lord John Russell to Prince Albert, 27 February 1847, Royal Archives, Windsor Castle.

expected.<sup>1</sup> He pointed out that "the announcement of this event, and the request to ascertain His Royal Highness' decision, . . . should not be sought or conveyed in a private, informal manner", and that "we have been rather expecting some official step upon your part". But, in order to allay anxiety, Colonel Phipps enclosed with his letter the answer which the Prince had intended to make to the deputation. It was a dignified utterance, worthy of its draftsman, Peel. Stress was laid upon the fact that the Prince's supporters had acted without his "sanction or privity", and that he could only have suspended their operations "by a peremptory declaration that under no circumstances would I consent, if elected, to accept the office of Chancellor, and such a declaration I did not deem it respectful to the University to make". It was, moreover, quite explicit on the most important point.

"I have resolved", it ran, "to accept the trust which the University is willing to confide to me. In forming this decision I have been influenced by a respectful deference to the wishes of a majority of its members, by a great unwillingness to involve the University in the probable necessity of another contest, but, above all, by an earnest hope that, through a zealous and impartial discharge of the trust which I undertake, I shall succeed in establishing a claim on the confidence and good-will of the whole academical body."<sup>2</sup>

The Prince was certainly in error in expecting an official announcement of his election immediately after it had taken place. Tradition demanded that the official announcement should be in the form of a Latin letter, written by the Public Orator, approved by the Senate, and presented to the Chancellor elect by the Vice-Chancellor accompanied by an Esquire Bedell; and therefore delay was unavoidable. Consequently the Vice-Chancellor, who had received Colonel Phipps's letter on the Saturday evening, did not spread the welcome news that the Prince had accepted the Chancellorship, only communicating it to two of the Heads, so as to obtain "their advice how to act with respect to it".<sup>3</sup> But, as it was desirable that the University should not be kept over long in the dark, the Latin letter was quickly written, and on Tuesday, 2 March, was approved by the Senate.

It was not a happy effort, as its author, the Public Orator, having

<sup>1</sup> Colonel Phipps to the Vice-Chancellor (undated draft), *ibid.*

<sup>2</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. 1, p. 389.

<sup>3</sup> Dr Philpott (the Vice-Chancellor) to Colonel Phipps, 28 February 1847, Royal Archives, Windsor Castle.



been a member of Lord Powis' Cambridge committee, was unable to put his heart into the business. "It could not be expected", wrote Romilly, "that the partisan of Lord Powis would write anything highly agreeable to the Prince; the letter, accordingly, is sufficiently cold; it dwells ungraciously on the unanimity of the election of the Duke of Northumberland, and bids the Prince look carefully after the interests of the Church."<sup>1</sup> But the victors could afford to forgive a lack of fervour; and the letter, having been engrossed, sealed and deposited in a "box covered with blue morocco leather",<sup>2</sup> was carried up that afternoon to Buckingham Palace by the Vice-Chancellor and the Senior Esquire Bedell, Henry Gunning. After merely glancing at it, the Prince said, "And here is my answer";<sup>3</sup> and then began to talk about Professors and their pupils, somewhat to the discomfiture of his auditors, as he was clearly unaware of the very subordinate part which most of the Cambridge Professors played in the instruction of the undergraduates.

The installation ceremony, which was held at Buckingham Palace on 25 March, was attended by a deputation from the University, and the more distinguished of them were afterwards entertained at dinner by the Prince. The Public Orator, who was one of those so honoured, had been told beforehand that he must on no account ask for beer, which was his favourite beverage; and he was much disgusted to learn later that Romilly, who probably had not been so warned, had enquired of a servant in a very humble way, "Is it possible to have a glass of beer?" and had immediately been brought some "in a short glass with a handle (much like a tea-cup)". The dessert wines were only claret and sherry; and the Master of Caius, being deaf, "could not hear the courtly whisper in which the servant announced what he offered, and said, 'Port, if you please'", and got it. The Master of Sidney, who had been out of sorts for some days, was indiscreet enough to venture on a glass of punch after the turtle soup, which so disagreed with him that he had to be got out of the room. Perhaps it was just as well that the after-dinner sitting was restricted to twenty minutes, and that "the wine was handed round twice only".<sup>4</sup>

<sup>1</sup> Diary of J. Romilly, 2 March 1847.

<sup>2</sup> Romilly mentions "no silver box; this is according to precedent". *Ibid.*

<sup>3</sup> Romilly states that both the Vice-Chancellor and Gunning exclaimed, when the Prince handed his answer to them, "I hope it is favourable". If so, the Vice-Chancellor was merely acting, as he had already seen the Prince's answer. *Ibid.*

<sup>4</sup> Diary of J. Romilly, 25 March 1847.

For the Prince, however, the installation was something more than a ceremonial and festive occasion. He was now Chancellor of the University, and he entered upon his office with a far higher conception of its duties than any of his predecessors. Most of them had been content to pay a few state visits to Cambridge, and to speak in the House of Lords, when occasion arose, in defence of the privileges of the University; and though one of them, the Duke of Newcastle, had played a far more active part in University business, his primary object in so doing had been to extend his political influence. The Prince took a very different view of his responsibilities. For him the Chancellorship was no sinecure but a charge both sacred and onerous. An ancient seat of learning had entrusted itself to his care, and he intended to guide it along the path of educational reform. Therefore he was as determined as Newcastle to make his influence felt, but, unlike that Duke, for a completely unselfish purpose. It was a difficult task, but, as will be seen later, he succeeded in accomplishing it.

## Chapter VIII

### TOWN AND GOWN

THE Royal Commission, appointed in 1850 to enquire into the discipline, studies and revenues of the University and colleges, received a memorial from the Cambridge Borough Council, complaining of the exercise by the University of certain antiquated privileges, and of the "total or partial exemption of the University and colleges therein from certain local burthens".<sup>1</sup> Most of the grievances advanced were of long standing, and there is no doubt that, if there had been good will on both sides, several of them would have been redressed long before. But, unfortunately, the relations between Town and Gown were extremely hostile. The University was never reluctant to cause annoyance to the Town, and the Town was always on the outlook for an opportunity to humiliate the University. Consequently certain privileges, which had ceased to serve any other purpose than provoking the resentment of the Town, were particularly dear to the University, and others, which were really needed to enable the University to discharge its responsibilities, were not on that account the less disliked by the Town. Hence the memorial to the Commissioners was inevitably a partisan statement, disfigured by inaccuracies, exaggerations and prejudice; but the case it presented, though not as strong as its framers believed, was certainly weighty and deserving of careful consideration.

It, for instance, complained that, in accordance with a charter granted to the University by Edward II,<sup>2</sup> the Mayor and Bailiffs of Cambridge were still obliged on election to take an oath, administered by the Senior Proctor, which pledged them to observe "the liberties and customs of this University, as concerning the keeping of the King's peace, and the assize of bread and beer and other victuals", and not wilfully or maliciously to impugn the other liberties and lawful customs of the University.<sup>3</sup> As this oath had become no more than a relic of a by-gone

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, pp. 35-40.

<sup>2</sup> C. H. Cooper, *Annals*, vol. 1, p. 75.

<sup>3</sup> *Ibid.* The reply of the University pointed out that, subsequently to the Act 6 and 7 William IV, c. 37, which abolished the regulations respecting "the assize and price of bread, . . . the mention of bread has been omitted in the oath tendered". *University Commission Report* (1852), Correspondence and Evidence, p. 41.

age, there was no justification for continuing to exact it, particularly as the impression was thereby given that the Town was subordinate to the University.<sup>1</sup> The fact that the Mayor and Bailiffs had always been compelled to take it was hardly a serious argument in its favour; and even this very questionable support was lacking for another ceremony, of which the Town equally bitterly complained, known as the Magna Congregatio. A charter, granted by Henry III and confirmed by Richard II, decreed that in the presence of the Vice-Chancellor, the Proctors and the Mayor, two aldermen and four burgesses should be sworn to assist the Mayor and Bailiffs in keeping the peace, and that two men of each parish should also be sworn to search for suspicious characters;<sup>2</sup> and these oaths had been annually administered by the Senior Proctor on the Friday next before the Feast of St Simon and St Jude until about the end of the eighteenth century when the ceremony fell into abeyance, presumably because it had become a meaningless survival.<sup>3</sup> But unfortunately, Dr Wood, the Master of St John's, could not let well alone; and on 1 July 1817, being Vice-Chancellor, he informed the Mayor that a Magna Congregatio would be held on the Friday following<sup>4</sup> in the Chancel of the University Church, and summoned him to appear at it "with two aldermen, four burgesses and two respectable householders from each parish". Dr Wood, being well aware that he was making an unwelcome demand, not only represented his antiquarian revival as a necessary precaution against the host of beggars and vagrants infesting the town, but threatened reprisals if his summons was not obeyed.

"I beg further to remind you", he wrote, "that the University has for some years distributed considerable sums of money to the several parishes in the town on the express stipulation that the streets and colleges shall be kept free from beggars and vagrants, and I feel it my duty to declare expressly that until our charter, which is calculated to give most effectual assistance to the police of the town, is complied with on the part of the parishes, I must withhold any further benefactions to them."<sup>5</sup>

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 36.

<sup>2</sup> C. H. Cooper, *Annals*, vol. 1, p. 50.

<sup>3</sup> The Magna Congregatio was apparently still being held when John Beverley in 1788 published "An Account of the Different Ceremonies observed in the Senate House".

<sup>4</sup> This was not the correct day.

<sup>5</sup> C. H. Cooper, *Annals*, vol. IV, p. 517, note 6.

As the University had the law on its side, the Mayor wisely obeyed the summons, and the Magna Congregatio once again became an annual function. It was, however, a perpetual cause of embitterment. In 1836 and the three following years the Mayor refused to attend, and on one occasion one of the householders stubbornly declined to take the oath.<sup>1</sup>

It is more doubtful, however, whether the Borough Council was justified in demanding that the University should surrender the right to arrest and imprison prostitutes, which Elizabeth had granted it by charter in 1561.<sup>2</sup> They contended that it was unnecessary, as the town magistrates had recently been authorised by Acts of Parliament to punish these unhappy women, and also undesirable, as the Proctors, being generally clergymen, were not well fitted to discharge this duty and occasionally blundered badly. They did not, however, assert that mistakes were at all frequent or that the police were immune from error; and the University could reasonably retort that its obligation to protect the morals of its younger members was far too important to be delegated.

Concurrent jurisdictions are doubtless inconvenient, and this was not the only one complained of in the memorial. The University had long exercised the exclusive right to license ale-houses in Cambridge and Chesterton, and to license the sale of wine; and its rights with regard to wine licences had been confirmed by Act of Parliament in the reign of George II.<sup>3</sup> An Act, however, passed in the year 1836, and intended to safeguard the right of the Crown to appoint the Vice-Chancellor for the time being a Justice of the Peace for the Borough of Cambridge, contained a provision that "no Vice-Chancellor of the said University, by reason of his being named in any Commission of the Peace for the said Town and Borough, shall thereby have, as touching the grant of licences to ale-houses, any greater authority as Justice of the Peace than any other Justice of the Peace named in any such Commission";<sup>4</sup> and the borough magistrates, interpreting this provision as depriving the Vice-Chancellor of his exclusive right to issue these ale-house licences, promptly gave notice that they would meet on 22 August for the purpose of granting them. The legality of this step was challenged by the then Vice-

<sup>1</sup> Diary of J. Romilly, 21 October 1836, 23 October 1840, 22 October 1852.

<sup>2</sup> C. H. Cooper, *Annals*, vol. II, p. 167. James I confirmed this right by charter in March 1605. By letters patent, issued in 1459, Henry VI authorised the Chancellor to banish all prostitutes from the University. *Ibid.* vol. I, p. 209; vol. III, pp. 15-16.

<sup>3</sup> L. L. Shadwell, *Enactments in Parliament* (1912), vol. II, pp. 37-39.

<sup>4</sup> *Ibid.* vol. III, pp. 68-69, 225. note 2.

Chancellor, Dr Archdall, Master of Emmanuel, who, putting his trust in another provision of the same Act, which forbade that it should be ever so construed as to deprive the Vice-Chancellor of any rights and privileges which he had hitherto legally enjoyed, issued a proclamation which asserted that "the sole and exclusive right of licensing ale-houses was vested in the Vice-Chancellor", and cautioned all persons "against keeping such inns, ale-houses or victualling houses, within the aforesaid precincts, without such licence from the Vice-Chancellor of the said University for the time being".<sup>1</sup> But this proclamation completely failed as a deterrent, for about two hundred inn-keepers attended the meeting of the borough magistrates on 22 August and obtained licences.<sup>2</sup>

The dispute could not rest there. If the University still had a legal right to grant these licences, it was an exclusive right; and therefore the borough magistrates, compelled to take a further step, obtained in 1837 a rule *nisi* for a *quo warranto* information against the Vice-Chancellor to state by what authority he had taken on himself to license ale-houses. The case was argued in the Court of Queen's Bench during the Easter term of 1838. The result was disappointing to both parties, for, though the rule was discharged, the judgment of the Court, as delivered by Mr Justice Littledale, was absolutely inconclusive.

"The franchise claimed by the Vice-Chancellor", he said, "possibly rested upon no legal foundation; and that upon a full examination it might turn out to be incapable of being supported; that the Court, by refusing the rule, did not prevent the parties from raising the question, if they should be so advised, nor prejudice its determination; the Court declined only to render any assistance in originating the proceeding, which might imply a suspicion that what had existed unquestioned for centuries was referable only to usurpation on the Crown: the Court did not therefore examine minutely the several objections to the claim; which were of more or less weight, and had received answers more or less satisfactory."<sup>3</sup>

Consequently the borough magistrates and the Vice-Chancellors continued to issue these licences, and each party accused the other of acting illegally in doing so.

The memorial emphasised the difficulties arising from this concurrence of jurisdictions, and contended that the University could

<sup>1</sup> C. H. Cooper, *Annals*, vol. iv, p. 602.

<sup>2</sup> *Ibid.* p. 603.

<sup>3</sup> *Ibid.* pp. 615-616.

abandon its doubtful claim to exercise this right without endangering its discipline. This, however, was by no means certain. If the Vice-Chancellor could grant a licence, he could also withhold it; and the Proctors, whose advice he generally took, might possibly have more accurate and detailed information about some of the ale-houses than the magistrates, and would at least know which of them were undesirable haunts for undergraduates, though perhaps not sufficiently objectionable to justify the borough magistrates in refusing to license them. If the University had been on the same terms of cordiality with the Town as it is to-day, it could safely have surrendered this ancient privilege; but it was naturally very reluctant to submit to an avowed enemy.

The Town, moreover, did not make the slightest attempt to diminish this regrettable hostility. Thus, though it could not dispute the legal right of the University to grant wine licences, it captiously questioned in its memorial whether it was permissible to charge for them.<sup>1</sup> Still more unreasonably, it complained in the same manifesto that the Heads of Houses both issued regulations which adversely affected the trade of the town, and discommuned the tradesmen who broke them, that is, prohibited all members of the University under severe penalties from dealing with such offenders. There was little justification for this complaint. It is, and ever was, incumbent on the University to check, so far as it can, extravagance among undergraduates, and to protect them when in difficulties, financial or otherwise; and the regulations, to which objection was taken, were designed for this purpose. Thus in 1844 the Heads had decreed that any inhabitant of the town, engaged in any trade or profession, should be discommuned if proved guilty of having instituted legal proceedings against a person *in statu pupillari* for the recovery of a debt, without having previously informed his Tutor; and another decree, issued in the year 1847, required under the same penalty all tradesmen, "with whom any person *in statu pupillari* shall contract a debt exceeding the sum of £5, . . . to send notice of the amount of the same at the end of every quarter to the College Tutor of the person so indebted".<sup>2</sup> It cannot be seriously maintained that these regulations were tyrannical or unnecessary, as young men, enjoying credit for the first time in their lives, are very apt to forget that the day of reckoning

<sup>1</sup> "The larger vintners pay ten pounds, the smaller five pounds, each, annually to the University." H. Gunning, *Ceremonies* (1828), p. 249.

<sup>2</sup> C. H. Cooper, *Annals*, vol. iv, pp. 667, 683; *University Commission Report* (1852), Correspondence and Evidence, pp. 38-39.

must come. The allegation in the memorial that these regulations were detrimental to the trade of the town was probably correct, for though bad debts must have been sometimes made, it can be safely assumed that the Cambridge tradesmen benefited by undergraduate extravagance, as otherwise they would not have encouraged it; but the statement that these regulations were ineffective, as they did not, and could not, apply to transactions with London tradesmen, was beside the point. It may have been true that "from the time these decrees were promulgated, the town has been literally overrun with non-resident traders soliciting orders";<sup>1</sup> but as these invaders were less likely to give long credit, they might assist to promote economy, and in any case it was absurd to blame the University for its inability completely to eradicate the evil consequences of youthful thoughtlessness.

But the pleasure-seekers as well as the tradesmen of Cambridge had grievances against the University, and these were not omitted from the memorial. Under an Act of Parliament, passed as recently as 1843, no theatre could be licensed within the precincts of the University or within fourteen miles of Cambridge without the consent of the Vice-Chancellor, and an Act passed in the reign of George II had been still more severe, empowering the Vice-Chancellor to imprison "all persons whatsoever who shall for gain in any playhouse, booth or otherwise exhibit any stage play, interlude, shew, opera or other theatrical or dramatical performance", within the precincts of the University or five miles from the town.<sup>2</sup> The Vice-Chancellor also claimed and exercised the power of forbidding all other entertainments in the town; and as late as the middle of the nineteenth century no theatrical performances were permitted to take place in Cambridge except in the Long Vacation, and even concerts were sometimes forbidden.<sup>3</sup> It was clearly intolerable that the townsmen should be denied innocent pleasures in order that undergraduates should not be distracted from their studies or run after actresses; and there was no necessity for the infliction of this hardship, as the University could have imposed whatever restrictions it deemed advisable upon its own members, without interfering with the

<sup>1</sup> *University Commission Report (1852)*, Correspondence and Evidence, p. 39.

<sup>2</sup> L. L. Shadwell, *Enactments in Parliament (1912)*, vol. II, pp. 27-29, 189; vol. III, pp. 106-108.

<sup>3</sup> MS. Diary of F. H. Bowring, under date of 1841. It was alleged that John Braham was not allowed by the Vice-Chancellor to give a concert. When, however, Jenny Lind came to Cambridge in 1849 to sing, the church bells rang in her honour. Diary of J. Romilly, 12 March 1849.



liberty of those for whom it was in no way responsible. An incident, instructive in this connection, occurred in the year 1850. William Cooke, a circus proprietor, gave, with the approval of the Mayor, performances in Cambridge, though the Vice-Chancellor had refused him permission; and the Heads, thus flouted, could do no more than forbid all persons *in statu pupillari* to attend the circus.<sup>1</sup> Yet as their order was obeyed, it seems that the greater authority which they claimed was really unnecessary.<sup>2</sup>

By various charters the University had also the sole supervision of all weights and measures within Cambridge and its suburbs, and discharged this duty through the Taxors, who were authorised to examine and seal all weights and measures, and to seize such as were found defective.<sup>3</sup> It was also one of the duties of the High Steward or his deputy to hold a Court Leet, at which those found guilty of using weights and measures not sealed by the Taxors were fined. The contention of the Borough Council that this system was antiquated, and that "the inspection of weights and measures would be far better exercised by the ordinary police" was entirely reasonable. The Taxors were not chosen for their skill in this particular work, and the Court Leet was timid about enforcing the payment of the fines it imposed, as there was some uncertainty whether it was legally competent to levy them.<sup>4</sup> Nor is it only from hostile quarters that adverse testimony against this Court comes.

"With regard to the effectiveness of the Court itself for the superintendence of weights and measures," wrote John Cowling, the deputy High Steward, in 1842, "I would suggest that the whole machinery is quite inadequate for the purpose at the present day. It was established for a state of things totally different, when there was less trade in the country, time less valuable, and the population and number of persons buying and selling very much less, and when also the weights and measures were more simple than at present."<sup>5</sup>

Equally out of date, though harmless enough, were the ancient ceremonies of the proclamation by the Registry of the Cambridge markets

<sup>1</sup> C. H. Cooper, *Annals*, vol. v, pp. 22-23. Romilly witnessed Cooke's entry into Cambridge "in a coach and sixteen, with little Tom Thumb carriages, six bold impudent red-jacketed women on horseback, a reindeer drawing a car, etc., etc." *Diary of J. Romilly*, 18 October 1850.

<sup>2</sup> *Diary of J. Romilly*, 21 October 1850.

<sup>3</sup> In a fixed cycle two colleges every year had each to nominate one person to be a Taxor, and the two persons nominated were elected by the Senate.

<sup>4</sup> University Registry Documents, vol. XLIII (High Steward).

<sup>5</sup> *Ibid.*

and of the two fairs of Barnwell and Stourbridge.<sup>1</sup> The Cambridge markets were proclaimed on the second Saturday after 10 October, Barnwell Fair on 23 June, and Stourbridge Fair on 18 September; and on each occasion the ceremony was much the same. At eleven o'clock or earlier the Vice-Chancellor, the other officers of the University, and such Heads, Doctors and noblemen as chose to attend, met in the Senate House, and, after partaking of cakes and wine, sallied forth to hear the proclamation read by the Registrar, and repeated after him by the Yeoman Bedell. As Barnwell and Stourbridge were a little distance away, they drove there. But at Stourbridge there was a greater attraction than an old-world and possibly picturesque ceremony; for, after listening to the proclamation, the Vice-Chancellor and the other representatives of the University adjourned to the Tiled Booth, where at the expense of the Proctors they feasted on oysters.<sup>2</sup> Formerly the Proctors had also provided a dinner, but that had been discontinued, and in 1842, doubtless to the bitter regret of many, the oyster feast was abolished by Grace. Fashions were changing and pleasures were becoming more refined. It was found increasingly difficult to induce the University officials to attend these fairs, which were rapidly declining in importance and going, as Romilly remarked in 1853, like all other fairs, "to the dogs".<sup>3</sup>

The Mayor and Corporation of Cambridge also proclaimed these two fairs, and did not see the necessity of the University doing so as well. Another grievance was that the Commissary held a Court at them for the punishment of such offences as the use of illegal weights and measures;<sup>4</sup> and the memorial of the Borough Council truly declared that the University would not sustain any substantial loss "by an express abrogation of the powers they possess in the markets and fairs, which powers are, indeed, for the most part practically obsolete". But as the Commissary would thereby be left without any duties to perform, the University was reluctant to surrender these rights.

But the Court of the Chancellor was, or at least had been, a far more lively cause of friction. It was naturally unpopular with the tradesmen of Cambridge, as it was able to discommune them; but it possessed far

<sup>1</sup> Barnwell Fair was popularly known as Midsummer or Pot Fair.

<sup>2</sup> The beer and bread and butter were provided by the Taxors. H. Gunning, *Ceremonies* (1828), p. 130.

<sup>3</sup> Diary of J. Romilly, 23 June 1853.

<sup>4</sup> Dr Philpott to Colonel Grey, 20 November 1852, Royal Archives, Windsor Castle.

greater powers. Under a charter granted by Queen Elizabeth it had jurisdiction within Cambridge and one mile round in all civil proceedings, except those concerning the right of freehold, and over all criminal offences under the degree of treason, felony and mayhem, provided that one of the parties was a master, scholar or privileged person of the University;<sup>1</sup> and in the opinion of the Town the Court was inclined to use its powers to protect members of the University against the law of the land. The quarrel was of long standing, and in the eighteenth century the borough magistrates had frequently exceeded their authority by hearing charges of assault against undergraduates; but these encroachments, though annoying, were not serious, as they could not be quoted as precedents. But the jurisdiction of the Chancellor's Court was very seriously impaired by an Act of Parliament passed in the ninth year of the reign of George IV, which, without reserving the privileges of the University, gave magistrates a summary power of punishing persons for common assaults. The omission to reserve the privileges of the University may possibly have been accidental; but the borough magistrates took full advantage of it, and frequently heard charges of assault against undergraduates, who were generally very willing that they should. "Students, charged with offences", it was pointed out "are naturally anxious to avoid academic punishment, and with that view they generally make their appearance before the magistrates without their academic dress, and are well content to escape with the payment of a fine which, being paid to the Borough, does not come to the knowledge of the University Authorities."<sup>2</sup>

Indeed, as the memorial truly stated, the Chancellor's Court did practically nothing more than discommune tradesmen and deal with disciplinary cases; and, this being so, no purpose was served, except that of causing irritation, by its possession of an authority which it could not effectively use. But that irritation was very slight compared with that provoked by the unequal distribution between the Town and University of the local financial burdens, though that distribution was not so unfair as it was represented to be. It was not, for instance, so inequitable, as it superficially appears, that the University was only charged to land tax one hundred pounds per annum, whereas the Town was charged two

<sup>1</sup> For an enumeration of the classes included under the title of privileged persons, see C. H. Cooper, *Annals*, vol. II, pp. 473-474.

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 45.

thousand seven hundred pounds, as the sites of colleges had been exempted from land tax by an Act passed in the fourth year of the reign of William and Mary, and therefore the colleges for the purpose of the tax were not considered as part of the University.<sup>1</sup> There is also no doubt that the University was called upon to do more than could be legitimately required of it by having to pay two-fifths of the expenses of paving, cleaning and lighting the town. On the other hand, the buildings and property occupied by the University and colleges were, with some few exceptions, not assessed to parochial rates;<sup>2</sup> and though the University voluntarily subscribed two hundred and forty pounds annually towards the support of the poor of Cambridge, it cannot be held to have thereby met its obligations in full. It, moreover, contributed nothing towards the maintenance of the borough police force, although many members of the Senate were in favour of it doing so. In March 1847, and possibly at the instigation of Dr Philpott, who was then Vice-Chancellor, a syndicate had been appointed to consider the expediency of the University making a voluntary contribution for this purpose; but their recommendation that such a payment should be made if certain conditions were fulfilled, was rejected in the Non-Regent House, though only by a very narrow majority.<sup>3</sup> The question was raised again in 1850 when a syndicate and a committee of the Borough Council agreed to recommend that the University should contribute one-third of the expenses of the police force, provided that it was given a share in its management.<sup>4</sup> As this recommendation was approved both by the Senate and the Borough Council, a settlement seemed in sight;<sup>5</sup> but when certain clauses, purporting to embody it and intended for insertion in a Bill then before Parliament, were submitted to the Senate, they were rejected in the Non-Regent House by a large majority.<sup>6</sup> Consequently, the Town continued to have a very substantial grievance; and it was only one of many.

But as justice demanded that the University should be given an opportunity of defending itself, the Commissioners transmitted a copy

<sup>1</sup> L. L. Shadwell, *Enactments in Parliament* (1912), vol. 1, pp. 305-306.

<sup>2</sup> Poor, Church and Highway Rates.

<sup>3</sup> C. H. Cooper, *Annals*, vol. iv, p. 687, and note 4.      <sup>4</sup> *Ibid.*, vol. v, pp. 1-3.

<sup>5</sup> This agreement was approved in both Houses of the Senate by large majorities, but in the Borough Council only by the casting vote of the Mayor. C. H. Cooper, *Annals*, vol. v, pp. 1-3.

<sup>6</sup> *Ibid.* p. 8. J. Burdakin, *Remarks on two recent reports of a Syndicate of the University* (1850).

of the memorial to the Vice-Chancellor, and on 26 March 1852 the Senate appointed a syndicate to draft a reply to it. That reply is disappointing, for it conceded nothing, and completely failed to distinguish between the reasonable and unreasonable demands of the Town.<sup>1</sup> The Commissioners were wiser. They recommended in their report that both the Magna Congregatio and the swearing of the Mayor and Bailiffs should be discontinued, and that the Borough should have the sole supervision of weights and measures. But they by no means conceded all that the Town had asked. They considered it advisable that theatrical and other entertainments within the town and suburbs of Cambridge should continue to require the sanction of the Vice-Chancellor; and that, if the University surrendered its right of licensing ale-houses, the Vice-Chancellor should retain the power of revoking the licence of "any victualler who shall have been proved before him to have afforded facilities for the reception of women of improper character in his house, or to have permitted students to resort to it for the practice of games disallowed by the University, or to have infringed such rules as the Vice-Chancellor and the Heads of Colleges may have passed for controlling the expenses of persons *in statu pupillari*".<sup>2</sup> They also upheld the right of the University to discommune tradesmen and arrest prostitutes, and did not recommend any change in the powers and constitution of the Chancellor's Court.<sup>3</sup> Nor did they refer to the very contentious question of the distribution of the local financial burdens.

The Commissioners could only recommend, but recommendations, which carried weight with the general public and Parliament, could not safely be entirely disregarded. Moreover, as it was likely that before very long a Statutory Commission with coercive powers would be appointed, the University could not prudently wait to set its house in order until it was compelled to do so. Accordingly, on 29 October 1852 the syndicate, which had drawn up the answer to the memorial of the Borough Council, was reappointed, officially "to consider generally the privileges of the University", but actually, as Dr Philpott informed Colonel Grey, "to discuss the recommendations made upon that subject by the University Commissioners, and to prepare the way for submitting propositions founded upon them to the vote and judgment of

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, pp. 41-46.

<sup>2</sup> *University Commission Report* (1852), p. 8.

<sup>3</sup> The only positive recommendation of the Commissioners on this subject was that, when the accused was not a member of the University, the Court should be open to the public. *Ibid.* p. 6.

the Senate".<sup>1</sup> This did not seem likely to promote a settlement, as the concessions offered by the Commissioners were insufficient to satisfy the Town; but on 2 February 1853 the Senate authorised the syndicate to enter into negotiations with a committee of the Borough Council, which had been appointed for that purpose.<sup>2</sup> The two bodies conferred and corresponded; and the syndicate adopted a more conciliatory attitude than earlier. The scheme, for instance, which in May 1853 they submitted to the committee, indicated a very genuine desire to reach an understanding.<sup>3</sup> The obnoxious *Magna Congregatio* was abandoned, and the Mayor and Bailiffs were exempted from the oath to observe the liberties and customs of the University, provided that a clause to the same effect was added to the declaration which by Act of Parliament they had to subscribe on accepting office. The supervision of weights and measures and the licensing of victuallers were conceded to the Borough Magistrates, with reservation to the Vice-Chancellor of the power to appoint one or more inspectors of weights and measures, if he thought fit to do so, and to revoke a licence "upon misconduct being proved to his satisfaction before him in his Court". Moreover, the summary power to deal with cases of assault, which the magistrates had been given by Parliament, was recognised as extending to members of the University, though this concession was coupled with the not unreasonable request that notice of the conviction of any member of the University should immediately be communicated to the Vice-Chancellor. Further, the University was no longer to have any concern with the markets and fairs, except that the fairs were not to be continued beyond the customary period without the permission of the Vice-Chancellor; and the property of the University was to "be assessed in the respective parishes in which it is situate for the same rates as may be levied on any other property therein". This latter concession, which included of course liability to assessment for the maintenance of the police force, was made on the condition among others that the control of the police should be entrusted to a Board, consisting of five members of the University and five members of the Borough Council, and presided over by a chairman who was to hold office for one year, and to be "elected alternately by the University members of the Board from among themselves and by the Town members of the Board from

<sup>1</sup> Dr Philpott to Colonel Grey, 20 November 1852, Royal Archives, Windsor Castle.

<sup>2</sup> C. H. Cooper, *Annals*, vol. v, p. 148.

<sup>3</sup> *Ibid.* pp. 149-152.

among themselves".<sup>1</sup> The syndicate, however, did not meet the Town on all points. Public entertainments and theatrical performances, "not only at and during the fairs, but at all times in the town of Cambridge and elsewhere within fourteen miles", were, as before, to require the licence of the Vice-Chancellor, and, what proved to be a far more serious obstacle to a settlement, the Proctors were still to retain their right to arrest prostitutes, and were not to be amenable to the jurisdiction of the borough magistrates for offences committed in the discharge of their official duties.

To many of these proposals the committee of the Borough Council agreed either unreservedly or in principle, but not to all. They pointed out, for instance, that they were not competent either to approve or object to the request that the Vice-Chancellor's licence should still be required for theatrical and other entertainments outside Cambridge, but suggested that it should cease to be necessary for entertainments, theatrical or otherwise, given at Barnwell Fair or in Cambridge during the Long Vacation.<sup>2</sup> They also urged that, instead of the Vice-Chancellor having the right to revoke licences granted to ale-houses, he should only be able to appeal to the borough magistrates to revoke them; and they took the strongest objection to the proposed immunity of the Proctors from magisterial jurisdiction. "The committee after diligent enquiry", they declared, "cannot find that within living memory more than two cases of this kind have occurred, and they cannot admit that any ground exists for the provision proposed by this article, which might operate as a complete denial of justice to persons who are not in a position to defray the great expense of an action in the superior Courts."<sup>3</sup>

As the points of difference that remained were not many, optimists were inclined to believe that a happy ending was in sight: "It is hoped", wrote the then Vice-Chancellor to Prince Albert, "that after a few more conferences an amicable arrangement may be effected."<sup>4</sup> But a few days

<sup>1</sup> The other conditions were "that the portion of the Poor Rate thus contributed by the University and the colleges be in lieu of the contribution to the poor which the University is accustomed to make; and that the portion of the Paving Rate thus contributed be in lieu of the two-fifths, now payable by the University, of the expenses incurred under the authority of the Improvement Acts".

<sup>2</sup> Stourbridge Fair fell in the Long Vacation.

<sup>3</sup> C. H. Cooper, *Annals*, vol. v, pp. 149-152.

<sup>4</sup> A memorandum from Dr Pulling (Vice-Chancellor) to Prince Albert, dated 2 November 1853, and entitled "Some account of Proceedings in the University of Cambridge from 29 October 1852 to 3 November 1853". Royal Archives, Windsor Castle.

later Colonel Grey heard from Dr Philpott that "the prospect of a satisfactory agreement between the two bodies is not good";<sup>1</sup> and the Master of St Catharine's was the wiser prophet. The syndicate replied on 12 December 1853 to the remarks of the committee on their original proposals, and made further concessions. They agreed that the Vice-Chancellor's licence should no longer be required for entertainments outside Cambridge or at Barnwell Fair, but still contended that it should be needed for those given in Cambridge at any time of the year. They also waived their previous demand that the Vice-Chancellor should be able to revoke a victualler's licence; and even made a slight concession on the extremely delicate proctorial question. Though they refused to admit that the Act passed in the ninth year of the reign of George IV, giving magistrates summary jurisdiction in cases of assault and battery, could, or was ever intended to, apply to Proctors when discharging their official duties, they were prepared to go so far as to allow that the Proctors could be proceeded against at Quarter Sessions. This went some way to meet the objection of the great expense of an action in the superior Courts; but it did not satisfy the committee, who, though they accepted with modifications the other proposals of the syndicate, absolutely refused to receive this olive branch.

"The committee are of the opinion", they truculently declared, "that no case for exempting the Proctors, Pro-Proctors and their men from the summary jurisdiction over charges of assault and battery, conferred on all magistrates by the 9th George IV, C. 31, s. 27, has been, or can be, made out. The committee have duly considered the remarks of the syndicate on this point, but the committee cannot but think that the effect of this article of the scheme, even as now modified, will be to make an express and important concession which will tend not only to create popular discontent but to cast a very undeserved stigma on the magistrates. The committee must therefore decline to recommend the Council to accede to this article."<sup>2</sup>

This refusal, which certainly might have been more courteously phrased, deeply offended the syndicate. They rightly considered that they had conceded much, and perhaps more than the Senate would approve; and to be asked to make what seemed to them an almost unconditional surrender to the Town was more than their tempers, possibly frayed by the lengthy negotiations, could bear. On 2 February 1854, they abruptly broke off the discussion, and in a note to the com-

<sup>1</sup> Dr Philpott to Colonel Grey, 4 November 1853, *ibid.*

<sup>2</sup> C. H. Cooper, *Annals*, vol. v, pp. 152-154.



mittee expressed their anger, though they called it disappointment, that their efforts to reach an agreement had met with such a miserable response. This was intended to cause annoyance and achieved its object, for the committee retorted by expressing their deep regret that the syndicate "in breaking off the negotiations, should have done so in such objectionable terms".<sup>1</sup> The Borough Council, moreover, decided to take legal proceedings for the assessment to the parochial rates of all property occupied by the University and colleges, "not assessed to such rates or inadequately assessed thereto".<sup>2</sup>

In the past the University had too often adopted a thoroughly unreasonable attitude towards the Town, but on this occasion it did not. The syndicate, in reporting to the Senate their failure to reach an agreement, recommended that the Chancellor should be requested to urge the Home Secretary, who was Lord Palmerston, to promote an Act of Parliament for the settlement of the dispute, and the Senate approved the suggestion.<sup>3</sup> When approached, however, Lord Palmerston pointed out that "before the Government can properly interfere to settle these differences by legislation, it would be extremely desirable that they should be referred to some person of eminence, who, after hearing all that can be urged on both sides, should make a final and binding decision, to be afterwards ratified by Act of Parliament"; and he proposed Sir John Patteson as a suitable arbitrator.<sup>4</sup> This was so obviously the best course that the Grace for accepting Sir John Patteson as an arbitrator passed the Senate unopposed.<sup>5</sup> The Borough Council also agreed to this mode of procedure, possibly influenced by a memorial, signed by one hundred and sixty-four rate payers, which had been presented to the Mayor, and advocated that the Town should follow the example of the University and refer the dispute to Parliament.<sup>6</sup>

On four days in February 1855 and four in the May following, Sir John Patteson heard the arguments of the Counsel for the University and the Town, after which he retired into the country to work "hard at the long and complicated mass of details with which he had to deal, till he shall have made up his mind and be ready to pronounce his judgment".<sup>7</sup> He certainly did not waste time, for at the end of August he pronounced judgment. He ruled that the Magna Congregatio should

<sup>1</sup> C. H. Cooper, *Annals*, vol. v, p. 155.    <sup>2</sup> *Ibid.* pp. 155-156.    <sup>3</sup> *Ibid.* p. 156.

<sup>4</sup> *Ibid.* p. 182, note 1.

<sup>5</sup> Diary of J. Romilly, 6 July 1854.

<sup>6</sup> The memorial, which is among the Whewell Papers, is dated 13 April 1854.

<sup>7</sup> Dr Philpott to Colonel Grey, 19 May 1855, Royal Archives, Windsor Castle. See also C. H. Cooper, *Annals*, vol. v, pp. 185-189.

be discontinued, and that the Mayor and Bailiffs should no longer be required to take an oath or to make a declaration by which they pledged themselves to conserve the privileges and liberties of the University. The right of the Vice-Chancellor to license ale-houses was disallowed, though he could appeal to the borough magistrates to revoke a licence which they had granted; and he was prohibited from charging a fee for the wine licences which he was still to issue. The supervision of weights and measures was transferred from the University to the town magistrates, though the Vice-Chancellor could from time to time appoint inspectors of weights and measures; and "the privileges, powers and authorities, heretofore exercised by the University and its officers with respect to markets and fairs of and within the Borough", were abolished. The jurisdiction of the Chancellor's Court was henceforth not to extend to any case, civil or criminal, in which one of the parties was not a member of the University; and though the right of the Heads of Houses to issue decrees, enjoining upon tradesmen and others to observe, under threat of being discommuned, certain rules in their transactions with undergraduates, was upheld, this was not to extend to "any interference with the creditor's legal remedy by action till he shall have given notice to the University Authorities"; and consequently the decree issued by the Heads in 1844, which forbade any tradesmen of the town to institute legal proceedings against a person *in statu pupillari* for the recovery of a debt, without having given reasonable notice to the Tutor of such person, was invalidated. All the property of the University and colleges was declared to be liable to assessment to parochial rates, except the Senate House, the Laboratories, the Schools, the Museums of Science, the University Library, the Lecture Rooms, and the College Chapels and Libraries; and though the University was to have five representatives on the committee for the management of the police force, the Town was to have nine in addition to the Mayor who was to be the chairman. On the other hand, the respective quotas of the University and the Town to the Land Tax were left unchanged, and henceforth the University was to be responsible for only a quarter instead of two-fifths of the expenses connected with paving, cleaning and lighting the town. Also, on the ground that a considerable part of the Cambridge population consisted of young men, "with strong passions and little self control", the right of the University to arrest and punish prostitutes by imprisonment, banishment or otherwise was upheld; and the Proctors, Pro-Proctors and their men were declared immune, when exercising

these powers, from the summary jurisdiction of the borough magistrates, though liable to be proceeded against "civilly or criminally in any of Her Majesty's Courts". Other members of the University were not to enjoy this immunity, but if any of them were convicted of an offence by the magistrates, notice of the conviction must be communicated to the Vice-Chancellor. Finally, all theatres within the Borough of Cambridge were still to need the Vice-Chancellor's licence, and occasional entertainments to require the joint consent in writing of the Vice-Chancellor and Mayor, except those given at the two fairs and during the Long Vacation.<sup>1</sup>

In a letter to General Grey of 8 December 1855, Dr Philpott remarked that "we all feel that we owe a large debt of gratitude to Sir John Patteson for the patient attention which he has given to the subject, and for his very able award. The entire confidence reposed by all parties in his sound judgment, knowledge and integrity has produced a very general acquiescence in his decisions, and peace between the University and the Town cannot fail to follow from the Act of Parliament which shall give them the form of law".<sup>2</sup> And it was a peace which promised to be lasting, for there were no victors. The University was called upon to surrender certain rights and privileges which in the past it had persistently defended; and most of them were better away. It was absurd that the time of its officials should be wasted in examining weights and measures and supervising markets and fairs; and there is no evidence that any disciplinary difficulties were created by the loss of its right to license ale-houses and to exercise jurisdiction over persons who were not members of the University. But it had retained more that it was to keep; and its refusal to submit the Proctors to the jurisdiction of the local magistrates had been justified. But though the Town had not gained all that it had demanded and desired to have, it had been freed from a galling position of inferiority, and had secured concessions which, not many years before, had seemed out of its reach. Thus neither party had occasion to exult or to grieve; and that is why the Act, which Parliament passed in 1856, confirming Sir John Patteson's award, marks the beginning of better relations between Town and Gown.

<sup>1</sup> C. H. Cooper, *Annals*, vol. v, pp. 192-201. Sir John Patteson did not allude to that provision of the Act, 6 and 7 Queen Victoria, Cap. 68, which invested the Vice-Chancellor with the control over theatres within fourteen miles of Cambridge. Presumably he did not consider that it came within his province as an arbitrator between the University and Town.

<sup>2</sup> Dr Philpott to General Grey, 8 December 1855, Royal Archives, Windsor Castle.

## Chapter IX

### TROUBLE AT THE FITZWILLIAM

WHEWELL'S foible of omniscience might have been more easily forgiven by his colleagues if it had not been combined with an overbearing temper and an impatience of opposition which sometimes made him almost intolerable.<sup>1</sup> He possibly might have been very successful as the leader of a totalitarian state, but the defects in his character prevented him from acquiring that influence in the University which was really his due. Comparatively early in his academic career his admirers saw the danger of excessive unpopularity ahead of him. Shortly after he became Master of Trinity, his friend, Julius Hare, thought fit to warn him against that arrogance which had already made him many enemies; and in March 1843, when Whewell was Vice-Chancellor, Hare saw occasion to renew that warning.

"A thing which I have heard from a number of quarters", he wrote, "has grieved me very much, and I feel some difficulty in speaking about it. But the kindness with which you received what I said on the subject when you were appointed Master, encourages me to hope that you will still feel it is nothing but my deep and affectionate friendship that induces me to speak to you about it. Last year I was greatly delighted at hearing from several persons how kind and gentle and affable your manner had become since your appointment to the mastership, and when you were here my sisters were particularly pleased with this union of gentleness with strength and power. But from many reports which have reached me in the last six months, I am very much afraid that the additional burthen of the Vice-Chancellor's cares has somewhat ruffled you again, and called out the vehemence of the natural man, which it is always difficult to repress. . . . Still this difficulty may be overcome, and ought to be, not merely because it must so materially hurt your character and popularity, but still more because it must so much diminish the influence which you would exercise otherwise in the University. and which might be so beneficial."<sup>2</sup>

That difficulty was not overcome, and if Hare had been alive when Whewell in November 1855 again became Vice-Chancellor, he might

<sup>1</sup> Sidney Smith said of Whewell that science was his forte and omniscience his foible.

<sup>2</sup> Mrs Stair Douglas, *Life of Whewell* (1881), pp. 285-287.

have repeated his warning still more emphatically. For though early in his second term of office, his wife, to whom he was deeply attached, died,<sup>1</sup> his domestic sorrow neither interfered with the discharge of his official duties nor made him more tolerant of opposition; and within little more than three weeks after his wife's death, he was engaged in a fierce and acrimonious controversy with certain members of the Fitzwilliam Management Syndicate.

Lord Fitzwilliam, who died in February 1816, bequeathed to the University his pictures, engravings, books and the sum of one hundred thousand pounds in the new South Sea Annuities, directing that the dividends and annual proceeds of these annuities should be expended upon the erection of a museum to house his collection. Temporary accommodation was found for the collection in the Perse School, which then had few scholars;<sup>2</sup> and a syndicate was appointed to select a suitable site for the museum. Five years passed before a suitable site was discovered, but, as parts of it were let on leases which had still several years to run, no further action was taken until thirteen years later, when the Perse Trustees informed the University that they wished to resume the unrestricted use of their school buildings. Steps were therefore taken to erect a museum, which in 1848, though not completed, was sufficiently far advanced to enable the collection to be moved into it. In the December of the same year a syndicate was appointed "to consider the regulations which it may be advisable to adopt for the future management of the Fitzwilliam Museum", and their report, which was adopted by a Grace of the Senate on 25 April 1849, recommended that the general management of the museum should be entrusted to a syndicate consisting of the Vice-Chancellor of the year, the Vice-Chancellors of the two preceding years, and eight elected members. It did not, however, prescribe in detail the duties of the syndicate—it omitted, for instance, specifically to entrust them with the hanging of the pictures.<sup>3</sup>

<sup>1</sup> Whenever Whewell during his first Vice-Chancellorship appeared in the Senate House, the undergraduates invariably hooted, whistled and in other ways insulted him; and he had always seemed personally indifferent to these manifestations of dislike. "When he entered the Senate House for the first time after the death of his wife, . . . the undergraduates with instinctive good taste received him with profound silence, and then suddenly burst into enthusiastic cheering. This expression of sympathy completely overcame him, and he wept." W. G. Clark, *An Obituary Notice of Whewell*.

<sup>2</sup> The Perse School was then in Free School Lane.

<sup>3</sup> There was no Director of the museum, but three curators had to be in attendance during the hours when the museum was open. An entry in Romilly's Diary is of interest in connection with the status of these officers. "Visit from Mr Lichtenstein to

On 28 November 1855 Whewell, then recently appointed Vice-Chancellor, was authorised by the syndicate to supervise the painting of the Central Room of the Museum and the gilding of part of the moulding, but he received no other instructions, and was certainly not empowered to re-hang the pictures. His task was uninteresting, and this perhaps explains why he did not confine himself to it. He took the opportunity of hanging some recently acquired pictures, and it then occurred to him that some of the pictures of nude figures, already on the walls, were far too conspicuously exhibited.

"The exhibition of nude figures in a public gallery", he later stated, "is always a matter of some embarrassment. Even when the gallery is visited by those only who are habituated to regard merely the pictorial interest of such objects, they ought not, it would seem, to be obtruded on the eye of the visitor. But since in recent times we have opened the Fitzwilliam Gallery to the public indiscriminately, and to very young persons of both sexes, it appears to be quite necessary for the credit of the University that it should be possible to pass through the gallery without looking at such pictures, and therefore that they should not be in prominent places in the large room by which the spectator enters."

He therefore removed the Titian picture, then catalogued as the "Portraits of Philip II and of the Princess D'Eboli",<sup>1</sup> and a Venus and Cupid by Palma Vecchio, into the North-West room, in which were already hanging some of Archdeacon Hare's pictures, recently acquired by the University. The Titian and the Palma Vecchio would be less noticeable in their new position, and also, in Whewell's opinion, went well with the Hare pictures, which were almost entirely of the Venetian School. He also placed on the north wall of the same room a picture of the Adoration of the Shepherds, then ascribed to Giorgione,<sup>2</sup> and was well satisfied with his handiwork. "I think", he wrote, "I may appeal to the present aspect of that room as a proof of the pictorial propriety

tell me he was candidate for succeeding Ridgway as Fitzwilliam Curator, and to ask if I thought the place discreditably to a University man. I said 'far from it: presiding over books or pictures is always an honourable position for an educated man'"—Diary of J. Romilly, 6 August 1852.

<sup>1</sup> *Handbook to the Pictures in the Fitzwilliam Museum* (1853). In Mr Earp's *Descriptive Catalogue of the Pictures in the Fitzwilliam Museum* (1902), it is described as "A gentleman playing the guitar to his mistress".

<sup>2</sup> Mr Earp states "this picture has recently been attributed to the rare painter Domenico Capriuolo of Treviso (born 1495) who was influenced by Giorgione".

of the changes thus made. The Titian and the Giorgione give and receive effect by their contiguity to Mr Hare's pictures, and the walls are illuminated by a Venetian glow which is very characteristic of the school." Nor was this all, for he then proceeded to re-arrange the collection by schools, convincing himself that this would not necessitate many great changes. "The only removal of a large picture requisite would be that of the Paul Veronese."<sup>1</sup>

It is fortunately unnecessary to discuss the value of Whewell's scheme of rearrangement, and it does not go for much that it appealed to Romilly who, accompanied by the wife of Professor Willis, visited the museum when it was re-opened. Romilly thought the effect beautiful, but was of the opinion that Whewell had pushed his horror of undraped figures to a most ridiculous length in "placing the beautiful Paduanino high up, and covering it with a green curtain"; and therefore did not intervene when Mrs Willis "drew up the curtain to have a look".<sup>2</sup> But Whewell had laid himself open to a more serious charge than that of prudery. Without consulting any member of the Fitzwilliam Syndicate, he had embarked upon an entirely unauthorised enterprise, presumably anticipating that as the museum was closed for re-painting, no one would discover what he was doing until he had finished, and that then the irregularity of his conduct would be forgiven on account of its happy results.

It was a characteristic hope, but fortune played him a sorry trick. About the second week of January 1856 Mrs Hare, accompanied by Miss Adeane, called upon Thomas Worsley, Master of Downing; and, though the museum was still closed to the public,<sup>3</sup> Worsley, having the right of entry as a Syndic, took Mrs Hare to see her late husband's pictures in their new home. She was delighted with them, and said that "she had never seen them look nearly so well at Hurstmonceaux"; but as most of them were on religious subjects, she was surprised to see "that large picture (glancing for a moment at the naked Princess of Eboli) so close above them". So was Worsley, and still more so when he noticed that the Palma Vecchio and the Giorgione were also in the North-West room. At first he thought that what he saw might be a

<sup>1</sup> Statement by Whewell, 29 January 1856, Whewell Papers.

<sup>2</sup> Diary of J. Romilly, 31 January 1856. This was the picture known as the "Sleeping Venus". Mr Earp states that "the traditional attribution to Padovanino is very doubtful".

<sup>3</sup> It was not reopened until 31 January 1856, Diary of J. Romilly, 31 January 1856.

temporary arrangement while the painting was in progress, but he soon realised that he was beholding the handiwork of a dictator.

"I am informed", he wrote to Whewell on 11 January, "that you have given orders for the entire subversion of the existing arrangement of the pictures, and for their entire rearrangement on your own single authority, and without the consent, or even the privity, of the Management Syndicate, and, moreover, that this is to be done in such a manner that the walls of the Great Room will be wounded throughout in a multiplicity of places, and that any other arrangement will be almost, if not quite, impossible without... repainting every wall in the room."<sup>1</sup>

Worsley was much hurt. He had been almost solely responsible for the arrangement of the pictures thus so ruthlessly changed, and Whewell was a friend of many years standing. Yet in his letter of protest he did not unduly press his personal grievance. He contended that an "explicit statement and reference to the Management Syndicate of your scheme was due to them, as having been expressly appointed by the Senate for the management of the museum"; and that though a previous Vice-Chancellor had changed the position of the pictures without consulting the syndicate, "the recent reversal of these acts by the syndicate has shown that in its judgment they are not arguments for entrusting to the Vice-Chancellor for the time being an unlimited power of interfering with and over-riding their deliberative and authoritative decisions". Worsley added that another member of the syndicate, Dr Philpott, was strongly of the "opinion that no further steps should be taken with regard to the Large Room until the Management Syndicate had been called together".<sup>2</sup>

Whewell's reply to this protest, though perfectly courteous, was extremely unconciliatory. He neither admitted to wrong-doing nor undertook to stay his hand until the syndicate had been consulted;<sup>3</sup> and consequently Worsley was compelled to take more drastic action. He and four other members of the syndicate, being all that were in Cambridge at the time,<sup>4</sup> signed a manifesto, dated 22 January, in which they demanded that the Vice-Chancellor should abstain from further re-

<sup>1</sup> T. Worsley to W. Whewell, 11 January 1856, Whewell Papers.

<sup>2</sup> T. Worsley to W. Whewell, 11 January 1856, Whewell Papers.

<sup>3</sup> Whewell's reply is not among his papers, but its substance can be gathered from Worsley's rejoinder of 17 January. Whewell Papers.

<sup>4</sup> The signatories were the Masters of St Catharine's, Downing and Caius, W. G. Searle and A. Long.



arranging the pictures "until the matter shall have been submitted to the consideration of the syndicate". Whewell was not taken by surprise, for he had been warned by Worsley, a few days before, what to expect;<sup>1</sup> but he had not become more reasonable, for, though he undertook to call a meeting of the syndicate for the following week, he absolutely refused to suspend his operations. "As what is doing", he said, "will be completed in a few days, and as my justification depends upon the expedition with which it is done, I conceive it to be necessary that the work should go on."

Blinded by his arrogance, obsessed by an almost fanatical belief in his own artistic taste, he failed or refused to see that the only issue was whether he was exceeding his authority; and the five signatories made the only possible rejoinder by withdrawing from the syndicate on 24 January. "We feel", they said, "that we cannot any longer act on the syndicate with satisfaction to ourselves when such grave matters as the re-arrangement of the pictures and an alteration of the mode of hanging them are decided on and carried into execution without any consultation with the Syndics, or even any intimation to them that such things are contemplated, and we beg the Vice-Chancellor to make known to the Senate our resignation of the office of Syndic." Two days later two other members of the syndicate, who had returned to Cambridge, sent in their resignations. If *Treasure Island* had then been written, someone might have parodied the pirate ditty: "But one man of her crew alive, what put to sea with seventy-five"; for the grim fact was that Whewell and three others were the sole remaining members of a syndicate which had originally numbered eleven.<sup>2</sup>

Whewell complained that he had not been given a fair or, indeed, any hearing,<sup>3</sup> but that was his own fault, as he refused to accept the perfectly reasonable condition of suspending his work. His courage, however, did not fail him and on 29 January he published a statement to the Senate, which was both challenging and provocative. Though he ad-

<sup>1</sup> On 19 January Worsley had warned Whewell verbally of the protest about to be made by members of the syndicate. T. Worsley to W. Whewell, 22 January 1856, Whewell Papers.

<sup>2</sup> Possibly only two others, as there may have been a vacancy on the syndicate. Romilly records in his Diary on 30 January "all the Syndics resident have resigned: Dr Geldart and Mr Gibson are absent and count for nothing". A printed copy of the correspondence between Whewell and the five Syndics, which was circulated to members of the Senate, is among the Whewell Papers.

<sup>3</sup> A rough and unfinished draft of a letter from Whewell to Dr Philpott, not dated. Whewell Papers.

mitted that when the Syndics had instructed him to supervise the painting of the Central Room, they had assumed that the arrangement of the pictures would not be changed, he defiantly asserted that the syndicate had no authority to determine how the pictures should be hung, and that therefore they had no grievance. He also contended that he was justified in refusing to suspend his work even for a few days, as, if he had done so, the museum would have been closed to the public for a longer period than was desirable.<sup>1</sup> This was a most inadequate defence and was completely refuted by Worsley, who established that "up to the time of the Vice-Chancellor's recent statement, the power of the syndicate to deal with the arrangement of the pictures has never been questioned in principle, and has, whenever the syndicate thought fit, been practically exercised". He also pointed out that if the Vice-Chancellor had consulted the syndicate in the first instance, the necessity of delaying the reopening of the museum would not have arisen.<sup>2</sup>

Some days, however, before Worsley's rejoinder had appeared, Whewell had suffered a serious and humiliating rebuff. He had reckoned upon finding plenty of persons willing to be nominated to the Senate for election to the vacant places on the syndicate, and he was disappointed to find that they were not to be picked up as easily as he had expected. George Paget of Caius declined nomination because he disapproved of Whewell's conduct, and others excused themselves on the plea that they had been unable to make up their minds on which side the right lay. Indeed, as far as can be ascertained, only the Master of Sidney and Professor Miller were willing to step into the breach.<sup>3</sup> It is not surprising that the harvest was so meagre, for it was quite likely that the Senate would mark their disapprobation of Whewell's action by rejecting his nominees. And a letter which he received about this time from Dr Geldart, one of the few members of the syndicate who had not resigned, must have given him pause.

"The printed correspondence between you and certain members of the Fitzwilliam Museum Syndicate", wrote Dr Geldart on 31 January, "has reached me this morning. I deeply regret the misunderstanding that exists between you. May I, as a member of the syndicate who has not yet been

<sup>1</sup> Whewell's Statement to the Senate, 29 January 1856. Whewell Papers.

<sup>2</sup> The reply to Whewell was anonymous, but there is little doubt of its authorship, as it repeats many of the expressions and arguments in Worsley's letter to Whewell of 11 January. It is dated 7 February. Whewell Papers.

<sup>3</sup> The answers to Whewell's applications are among the Whewell Papers.

mixed up with it, be permitted to state my view of the subject, and offer a suggestion in the hope of effecting a reconciliation? I can easily believe that you thought the orders you gave for altering the arrangement of the pictures would be generally approved of, and that in giving them without consulting the syndicate, you had no intention to infringe upon its function. On looking at the Grace of 1849, I think it is an error to suppose that the Vice-Chancellor has power to direct such an alteration without the sanction of the syndicate, and when a protest was made against any further steps being taken for the purpose by all the members of it then in residence, I regret that it was not acceded to. In your answer you state that the completion of the work was requisite for the justification of what you had done, but it appears to me that the matter then involved a more serious question, . . . namely whether the Vice-Chancellor had power, by giving alone such orders, to supersede the functions of the syndicate conferred upon it by the Senate. If after further consideration you should think with me that you have inadvertently given orders beyond your power, I feel sure that your candid and manly mind will not hesitate to admit the error. I would venture to suggest that it is not now too late by some admission to that effect to remove the present unfortunate misunderstanding. I make this suggestion without consulting anyone, and I shall not take any further steps in the matter till I hear from you."<sup>1</sup>

The clouds were hanging low over Trinity Lodge, for Geldart clearly intended to resign if Whewell continued obdurate, and his resignation would probably not be the last. Whewell was, indeed, in the very uncomfortable position of the baffled dictator; but his victors were magnanimous and did not wish to humiliate him. His surrender was therefore gracefully cloaked by the appointment on 13 February of a syndicate to consider "whether it be desirable to make any, and if so what, changes in the constitution, duties and powers of the Fitzwilliam Management Syndicate";<sup>2</sup> and in a report, dated 20 February, this body recommended that the Fitzwilliam Syndicate should in future consist of the Vice-Chancellor and eight elected members,<sup>3</sup> and that it should "provide for the care of the collection, and . . . make arrangements for the placing of the various articles at any time composing it".<sup>4</sup>

<sup>1</sup> Dr Geldart to W. Whewell, 31 January 1856, Whewell Papers.

<sup>2</sup> Grace Book, University Registry. The syndicate seems to have been very fairly composed. Dr Philpott and Paget, who had opposed Whewell, and the Master of Sidney and Professor Miller, who had supported him, were given places on it.

<sup>3</sup> By the exclusion of the Vice-Chancellors of the two previous years, the syndicate was made more representative.

<sup>4</sup> Grace Book, 27 February 1856, University Registry.

This report, which was confirmed on 27 February, was not a direct censure upon Whewell, as it referred to the future and not to the past; but it certainly implied that it was undesirable for the Vice-Chancellor to act independently of the syndicate in the management of the museum. It therefore registered a moral victory for those members of the original syndicate who had resigned their places; and on this account Dr Philpott held that all of them ought to be re-elected. Whewell considered this proposal entirely unreasonable. He was prepared to allow four of them to resume their places, but it seemed to him intolerable that seven of the nine places on the new syndicate should be filled by his opponents in the recent controversy. In a draft of a letter to Dr Philpott, he expressed the fear that "being so complete a majority, they might attempt to reverse what has been done by the present Vice-Chancellor or to introduce a censure of him into some public act";<sup>1</sup> and he was allowed his way. Not more than four of the seven who had resigned were reappointed.<sup>2</sup>

It would not have been worth while to drag this story from the oblivion into which it has fallen if it did not assist to explain Whewell's unpopularity in the University. Lacking the art of persuasion, he was far too often inclined to compensate for this inability by riding roughshod over opposition; and hence created so many enemies that causes were apt to suffer by his support of them. It is significant that Prince Albert did not seek guidance and advice as Chancellor from Whewell, who had so warmly supported his candidature, but from Dr Philpott; and he acted wisely, as Dr Philpott possessed the confidence and good will of the University, and Whewell did not.

<sup>1</sup> Vice-Chancellor's Book, 5 November 1855, Whewell Papers.

<sup>2</sup> Grace Book, 7 March 1856, University Registry.

## Chapter X

### INTERNAL REFORM

THROUGHOUT the eighteenth century the two ancient Universities had enjoyed almost complete immunity from public criticism. They rarely attracted the attention of the Government unless rumoured to be fostering Jacobite sentiments, and the interest aroused in Parliament by the proposal to throw them open to Dissenters was very fleeting. There was no inclination to enquire into the education they gave or the use which they made of their endowments, for in that easy-going age wealth and privilege were seldom called upon to justify themselves to the nation; and, as they enabled the rich to enjoy themselves and the poor to attain positions of comparative opulence and dignity, there seemed no occasion to mark what was amiss. There was comfort in the thought that they must know their own business best, and that, if they needed reform, they would doubtless undertake it.

But quite early in the nineteenth century these homes of learning began to feel the cold blast of criticism. The time when sleeping dogs were allowed to lie had come to an end; and henceforth the Universities, like other national institutions, were being constantly weighed in the scales and found wanting. The *Edinburgh Review*, which first appeared in October 1802, adopted from the outset a very hostile attitude towards Oxford, depicting it as in the darkness of the Middle Ages; and though it treated Cambridge more kindly on account of its encouragement of mathematics, its indulgence was frequently tempered with sharp reproofs. Nor was the *Edinburgh Review* alone in criticism. In 1807 Robert Southey published anonymously a survey of English customs and institutions under the title of *Letters from England by Don Manuel Alvarez Espriella*, in which the Universities were not spared. When the Spaniard on a visit to Cambridge enquires what the nation gains from the Universities, he is told that they are "the great schools by which established opinions are inculcated and perpetuated"; and that though the undergraduates learn very little, they acquire a knowledge of the world, which remains after Greek and Latin are forgotten.

"The truth is, Sir," his informant is made to say, "that the institutions of men grow old like themselves, and, like women, are always the last to perceive their own decay. When Universities were the only schools of learning, they

were of great and important utility; as soon as there were others, they ceased to be the best, because their forms were prescribed, and they could adopt no improvement till long after it was generally acknowledged. There are other causes of decline. We educate for only one profession: when colleges were founded, that was the most important; it is now no longer so; they who are destined for the others, find it necessary to study elsewhere. . . . We have Professors of everything, who hold their situations and do nothing. In Edinburgh the income of the Professor depends upon his exertions, and in consequence the reputation of that University is so high that Englishmen find it necessary to finish their education by passing a year there."<sup>1</sup>

Popular indictments always exaggerate defects and minimise virtues; but the University of Cambridge at the beginning of the nineteenth century was not essentially different from Southey's description of it. Its education did not meet the needs of the age; its statutes, and those of nearly all the colleges, were systematically violated; and its museums and lecture-rooms were insufficient even for the modest demands made upon them. A detailed examination of these deficiencies is an indispensable preliminary to an account of the reforms which were achieved before the Government intervened.

The degree courses at the beginning of the nineteenth century were, with one notable exception, much as they had been in the Middle Ages. The candidates were still obliged to perform certain exercises in disputation, known as acts and opponencies; and this was all that was demanded of persons proceeding to a higher degree, and of undergraduates proceeding to a first degree in law or medicine. These exercises had once served a useful purpose, and those for the higher degrees probably still did so; but they had long ceased to be adequate tests of the proficiency and industry of undergraduates. Their insufficiency in this respect partly accounts for the changes which were made in the course for the degree of Bachelor of Arts during the eighteenth century. The candidates for that degree still had to keep the statutory number of acts and opponencies; but, from being the only tests of fitness for the degree, these exercises came to be used solely for the purpose of classifying the candidates into three groups for a subsequent examination.<sup>2</sup> Yet, though they thus lost pride of place, the exercises

<sup>1</sup> R. Southey, *Letters from England by Don Manuel Alvarez Espriella* (1807), vol. II, pp. 298-299.

<sup>2</sup> The examination was of much earlier date than the eighteenth century, but until then it had been very informal, and taken very little into account in awarding a degree.

had still to be taken seriously, for the difficulty of the examination, and consequently the opportunity of obtaining distinction in it, differed in accordance with the group. It was practically impossible for anyone not in the first two groups to attain to honours, so that those who had done so badly in their exercises as to be placed in the third group could only expect an ordinary degree.

It was from very humble beginnings that the Senate House Examination, as it was styled, came to be the determining factor in the course for the degree of Bachelor of Arts; but it had attained that position many years before the close of the eighteenth century. It was held at the beginning of the Lent Term, and, except for a smattering of moral philosophy, was almost exclusively mathematical in character. It had within this limitation been progressively made more thorough and searching; and in 1808 it was extended from four to five days, of which the first three were given to mathematics, and the fourth, which was counted an easy day, to moral philosophy. Early on the morning of the fifth day the examiners published a preliminary list, in which candidates of about equal merit were bracketed; and on this last day those in the same bracket were re-examined together, with a view of arranging them in an order of merit. It was possible for a candidate to rise above or fall below the bracket in which he had been placed; but, as far as is known, this very seldom happened.

The University was very proud of the Senate House Examination and of the improvements it had undergone; and therefore failed to see its many imperfections. As by far the greater number of undergraduates proceeded to the degree of Bachelor of Arts, the extremely narrow range of the examination was particularly unfortunate. A young man, conscious of lacking mathematical ability, and therefore unable to hope for distinction, was strongly tempted to be idle and content himself with an ordinary degree. It was equally unfortunate that the prominence given to mathematics in the examination effectively discouraged the pursuit of other studies. There were various University scholarships and prizes for proficiency in classical studies, but these had a very limited influence, as only the more gifted could hope to gain them; and probably A. H. Wratlaw, a Fellow of Christ's, was not guilty of serious exaggeration when in a pamphlet, which he published about the middle of the nineteenth century, he asserted that in those dark days classical studies were only kept alive in the University by the importance which Trinity assigned to them in its fellowship and scholarship examinations.

“What do we not owe to Trinity in the things of the intellect”, he enthusiastically wrote. “It alone kept alive by its general system the flame of scholarship in the University.”<sup>1</sup>

It was also extremely undesirable that the candidates for an ordinary degree should take the same kind of examination as the candidates for honours, even though they were asked easier questions, and not allowed to attempt the mathematical problems which were reserved for the better men.<sup>2</sup> They required an examination of a different and more general character; and the inevitable result of restricting them to mathematics and moral philosophy, which are exacting studies, was that the standard of an ordinary degree was miserably low. “It would scarcely be believed”, wrote George Pryme, who came up to Trinity as a freshman in 1799, “how very little knowledge was required for a mere degree when I first knew Cambridge. Two books of Euclid’s geometry, simple and quadratic equations, and the early parts of Paley’s *Moral Philosophy* were deemed amply sufficient.”<sup>3</sup> This was little enough; and though we learn about twenty years later that an ordinary degree could not be obtained without a knowledge of the first six books of Euclid, arithmetic, algebra, and a moderate amount of moral and metaphysical philosophy,<sup>4</sup> the vagueness of this pronouncement makes it valueless as evidence; and there is no doubt that the ordinary degree was granted on very easy terms, which was the more regrettable as the candidates for it were more in number than the aspirants for honours. Professor Monk, who as a Tutor was in a good position to ascertain the truth, stated that the majority of undergraduates did not qualify for honours.<sup>5</sup>

Also the method of conducting the examination was in some ways very primitive. Though by the beginning of the nineteenth century the practice of the candidates writing their answers, instead of giving them by word of mouth, had been established, the examiners still gave out the questions on the book work orally; and it was customary for them to wait until one of the examinees had finished answering a question before dictating the next one. This was both wasteful of time and

<sup>1</sup> A. H. Wratishaw, *Observations on the Cambridge System* (1850), p. 13.

<sup>2</sup> It was not, however, until 1818 that all the candidates for honours were allowed to attempt the problems. W. W. Rouse Ball, *The Origin and History of the Mathematical Tripos* (1880), p. 13.

<sup>3</sup> G. Pryme, *Autobiographic Recollections* (1870), p. 92.

<sup>4</sup> Philoquantus (J. H. Monk), *A Letter to the Right Rev. John, Lord Bishop of Bristol* (1822).

<sup>5</sup> *Ibid.*



irritating to the victims, and Joseph Romilly, who had been fourth wrangler in 1813, long remembered his sufferings when he sat for the examination. "Little Romilly, the Registrar", records a Fellow of Trinity in 1844, "got talkative on the great mathematicians of Trinity in his day, and told us how the Senate House examination was then conducted—one question only was given out at a time, and no second, until some one bawled out that he had done the first—and how the present Dean of Ely (Peacock) kept him in a perpetual fidget by crying out incessantly, 'done, done'"<sup>1</sup>

Yet, despite its many imperfections, the course for the degree of Bachelor of Arts was far more satisfactory than those for the degrees of Bachelor of Laws and Bachelor of Medicine. Neither of these courses, as has been already said, included an examination. An undergraduate who had resided nine terms, kept one act, and attended for three terms the lectures of the Professor of Civil Law, was qualified, when his name had been on the books of a college for six years, to become a Bachelor of Laws; and all that was actually required of a candidate for the degree of Bachelor of Medicine was to have resided for nine terms, retained his name on the books of a college for five years, witnessed two dissections, and kept a single act.<sup>2</sup> Consequently the Law School was the refuge of the very idle, and few of those who wished to study for the medical profession came to Cambridge for the purpose.

It was, moreover, possible for an undergraduate, if sufficiently well born, to obtain a degree without undergoing any intellectual test. By the Elizabethan statutes, as interpreted by the Heads of Houses and extended by a Royal Letter of Charles II, the University was able to confer degrees upon Privy Councillors, Bishops, Peers, the sons of Peers, Baronets, Knights, "Honourable Persons" if related to the Sovereign by consanguinity or affinity, and the sons of such persons, without requiring them to comply with any of the conditions of time, exercises or examinations which it imposed on other candidates;<sup>3</sup> and,

<sup>1</sup> MS. Diary of F. H. Bowring.

<sup>2</sup> The statutes required a candidate to keep two acts and one opponency, but Charles II in 1681 by royal letter dispensed with one of the acts, and in the eighteenth century it was usual to allow candidates to "caution" for the opponency, that is, to deposit a sum of money which was forfeited to the University if the exercise was not performed within a certain time.

<sup>3</sup> The Royal Letter of Charles II, which extended the privilege to Baronets and Knights, prescribed that they should only be eligible to take the degree of Master of Arts "in this honorary way".

although no objection can reasonably be taken to the use of this power to honour distinguished noblemen and ecclesiastics on such occasions as the installation of a Chancellor or a royal visit, its application to residents was clearly very undesirable. It is true that undergraduates, entitled to this privilege, did not enjoy it to its full extent, for, though they were exempted from all the exercises and from any examination, it was the practice not to admit them to a degree, which was always that of a Master of Arts, until they had resided for six terms; but residence under conditions so conducive to idleness could rarely have been of much educational benefit.

Another abuse, which also had statutory authority, was the existence of a class of students popularly known as Ten-Year men. An undergraduate, who had entered the University after having attained the age of twenty-four, and professed to have entirely devoted himself to the study of theology, was permitted, if he had performed the statutory exercises and ten years had elapsed since the date of his first admission, to graduate as a Bachelor of Divinity without having taken a previous degree. This quite exceptional privilege had originally been conceded in the hope of encouraging learning among the clergy; but little use seems to have been made of it until the latter part of the eighteenth century, when these Ten-Year men became sufficiently numerous to attract the unfavourable attention of the authorities. They were undoubtedly obtaining a degree of considerable distinction on very easy terms, for though their names had to be on the books of a college for ten years, they were not required to reside, and did not usually devote themselves to the study of theology. Unembarrassed by a reputation for learning and not anxious to acquire it, they generally did not care how discreditably they acquitted themselves in their exercises as long as they were not refused a degree; and as for the most part they were elderly clergymen who, not having been to the University in their youth, hoped to improve their professional prospects by becoming graduates, they generally received far more merciful treatment than they deserved. They frequently succeeded in becoming Bachelors of Divinity by displaying in execrable Latin a profound ignorance of theology. Indeed, the scandal became too great even for the atrophied academic conscience of the eighteenth century; and in 1788 the Heads of Houses decreed that Ten-Year men must keep by residence three terms at least during their last two years. But as nothing was done to insure that they really studied theology, this reform was quite ineffective. It did not even act

as a deterrent, for during the early years of the nineteenth century their numbers steadily increased.

But idleness was not a characteristic peculiar to them, for many of the undergraduates who came into residence at the ordinary age and took the courses in arts, law or medicine, wasted their time and the money of their parents. This evil has not been, and is never likely to be, totally eliminated; but as the University did not then require candidates for admission to pass an entrance examination, it is probable that the number of undergraduates, who were quite unfit to profit by a University education, was proportionally much larger than it is at present. That no steps had been taken to remedy this serious omission was in no small measure due to the jealousy of the colleges, who desired to enjoy an unrestricted freedom of choice and therefore insisted upon being solely responsible for ascertaining the intellectual attainments of the candidates they admitted. They did not, however, take this duty at all seriously: the author of a pamphlet published in 1836 asserted that Trinity was the only college which held an entrance examination, and that there was little prospect of the other colleges following its example.<sup>1</sup>

Another very fruitful cause of idleness was that little or nothing was done to test the industry of undergraduates until near the end of their period of residence. Candidates in law and medicine were not required to keep their acts until just before graduation, and the University did not concern itself with candidates in arts until their third and fourth years, when they were called upon to perform their exercises and to attempt the Senate House Examination. There were college exercises, but these were not taken at all seriously; and as youth is inclined to be optimistic, the inevitable consequence was that many young men wasted their first year and not a little of their second in the confident but mistaken hope that they would be able later on to make up for lost time. Dr Powell, shortly after becoming Master of St John's in 1765, mitigated this evil, as far as his own college was concerned, by insisting upon all its undergraduates being publicly examined twice a year; but when between the years 1772 and 1776 that earnest, though not tactful, reformer, Dr Jebb of Peterhouse, conducted a crusade for the establishment of annual examinations in a variety of subjects by the University, he was defeated. The opposition which he encountered was again mainly due to the jealousy of the colleges, who were aware that they could not

<sup>1</sup> *An Appeal to the University of Cambridge* (1836).

provide the necessary instruction for these examinations, and therefore scented the danger of the education of undergraduates, which they practically monopolised, falling into the hands of the University.<sup>1</sup> This hostility of the colleges to Jebb's proposal would have been a little less inexcusable if they had been generally willing to follow Dr Powell's example; but they were not. Trinity, indeed, established annual examinations for its undergraduates in 1790;<sup>2</sup> but twenty-five years later an admirer of the University expressed surprise that so few of the smaller colleges had adopted the practice.<sup>3</sup>

By including in his projected examinations subjects such as international law, history and classics, Jebb wisely attempted to widen the range of University studies and to cater for various tastes. It was deplorable that undergraduates, who did not wish to embark upon the professional studies of civil law or medicine, were compelled to devote themselves almost entirely to mathematics, for which they might have no natural aptitude; and this was not the only evil connected with this mistaken educational policy. There were Professors in many subjects, but at the beginning of the nineteenth century several of them were systematically neglecting the duties they were solemnly pledged to perform. The scandal had, indeed, formerly been greater, but it was still sufficiently widespread to disgrace the University. For nearly a hundred years no lectures had been delivered by the Lady Margaret Professors of Divinity, who did not blush to draw the comfortable stipend of one thousand pounds a year; and the equally handsomely endowed Regius Professorship of Divinity was enjoyed by Dr Richard Watson, who resided away from Cambridge and very rarely visited it. Nor were the Divinity Professors singular in this cynical disregard of their obligations, for they were unfortunately kept in countenance by many of their colleagues. But these peccant Professors were able to urge in excuse of their conduct that it was practically impossible for them to collect a class; and though they might have been more successful in doing so if they had been more persevering, it must in fairness be admitted that the alleged difficulty was by no means entirely imaginary. Undergraduates,

<sup>1</sup> Dr Powell, whom Jebb had flattered by imitating, was one of the fiercest opponents of annual university examinations.

<sup>2</sup> Trinity College Conclusion Book. For some years only the first- and second-year Trinity undergraduates sat for these examinations, and it was not until 1818 that they were extended to the third year. J. H. Monk, *Life of Bentley* (2nd edition, 1833), vol. II, p. 424, and note.

<sup>3</sup> L. Wainwright, *Literary and Scientific Pursuits in the University of Cambridge* (1815).

then as now, were not inclined to attend lectures which they could not turn to profitable account in their examinations, and their Tutors did not encourage them to do so; and therefore most of the Professors could not hope to attract them. There is no doubt that an extension of the range of studies would have gone some way to solve the problem of finding employment for the Professors; but as this solution would adversely affect the interests of the colleges, the remedy was thought to be worse than the disease.

It was, indeed, high time that reformers got busy on the education which the University provided for its undergraduates; and the same can be said of its statutes and those of the colleges. The University was still governed by the statutes granted in 1570 by Queen Elizabeth, which only the Crown was competent to change; and though from time to time they had been modified by royal authority, they remained substantially the same as when first given. Their immutability was, however, to a great extent a fiction. Some of them were so habitually violated as to be practically obsolete, and others had been interpreted by the Heads to mean what they certainly did not.<sup>1</sup> Moreover, in the course of the centuries conventions had accumulated, which, though without legal force, were far more strictly observed than the statutory code. Yet when every allowance has been made for the changes, both authorised and unauthorised, which had been introduced, it remains true that the machinery of government was much as it had been for over two hundred years. It was therefore hopelessly antiquated; but that was not the only objection to it. Shortly after it had come into operation, it had been sharply criticised as giving age and seniority more than their due weight, and the force of this criticism had not diminished with the passing of the years. It was certainly admirably devised to prevent hasty and imperfectly considered experiments, but it was equally effective in preventing the University from adapting itself to changing requirements. Yet there were few daring enough to contemplate the possibility of casting it upon the dust-heap of constitutional antiquities.

The colleges, with the exception of Downing, were in the same plight. Their statutes, which with a few exceptions were more ancient than those of the University, contained provisions which could not possibly be enforced, restrictions which had ceased to be justified, and, not infrequently, ambiguities sufficiently serious to occasion unseemly

<sup>1</sup> See p. 29.

wrangles and, sometimes, appeals to the Visitor. Yet there had never been any serious agitation to revise them.

Therefore in nearly all departments of University and college life there was urgent need of reform; but there is no justification for the belief that this need was entirely neglected until the Government intervened with a Royal, and then with a Statutory, Commission. Academic bodies, however secluded and remote, cannot escape the influence of the world around them; and just as the University in the eighteenth century reflected the dislike of that age to violent change, so in the nineteenth century it responded to the prevailing sentiment that institutions, however venerable, had duties to the present as well as obligations to the past. Its response was by no means complete, and much was left undone that might with advantage have been done; but within fairly well-defined limits progress was achieved. It is on the whole true that reforms which did not directly affect the colleges, and did not seem likely to weaken the connection between the University and the Church of England, could generally count upon a favourable reception.

Thus it was easier to change the conduct of the Senate House Examination than to modify its character and thereby affect the instruction given in the colleges; though the one reform was as necessary as the other, for until the early years of the nineteenth century the Newtonian geometrical and fluxional methods were alone studied at Cambridge, nothing practically being known of the advance in the methods of analysis which had taken place on the Continent. In 1803, however, Robert Woodhouse, then a Fellow of Caius, published a work entitled *Principles of Analytical Calculation*, in which he explained and urged the adoption of the differential notation; and weight was added to his advocacy by his severely critical attitude towards some of the methods employed by Continental mathematicians. Six years later he published his *Elements of Trigonometry*, which is said to have done more than any other publication to revolutionise the teaching of mathematics in England. It was some time, however, before his teaching bore fruit in Cambridge; for it both threatened the pre-eminence of Newton and the stability of college lectures. But fortunately it was most sympathetically received by some of the ablest mathematicians among the younger men, and in due course these disciples became examiners and therefore able to influence the character of the examination. George Peacock, John Herschel and Charles Babbage were the most zealous of Woodhouse's followers; and it was mainly owing to their efforts that by about 1820

the use of analytical methods was firmly established at Cambridge.<sup>1</sup> But the battle had not been speedily won.

The ease, however, with which several fundamental changes were made in the conduct of the Senate House Examination during the first half of the nineteenth century affords a striking, though not surprising, contrast. These innovations were welcomed by the University, being improvements which did not adversely affect the colleges; and they deserve attention. But as it would be tedious and confusing to analyse in detail and chronological order the numerous approved reports of syndicates on this topic, it will perhaps be enough to give a general account of the principal changes which the examination underwent during this period.

The practice of the examiners dictating the questions on book work, which Romilly had found so trying, was abolished for honours candidates in 1827, and for ordinary degree candidates in the year following. Henceforth the examination was conducted by printed papers, which had the advantage of more definitely fixing its scope as well as of saving time. But a far greater advance is indicated by the recognition of the truth that the requirements of the ordinary degree candidates were not met by an examination which, except for a little philosophy, was almost entirely mathematical. In 1822 Latin and Greek,<sup>2</sup> and in 1837 divinity, mechanics and hydrostatics, were added to the subjects which the poll men were required to take.<sup>3</sup> Yet the fiction that they sat for the same examination as the honours candidates was maintained for several years longer, but it was a very transparent fiction.<sup>4</sup> The Senate House Examination had in fact divided into two entirely separate examinations—the Mathematical Tripos and the examination for the ordinary degree. But the more comprehensive character of the latter examination had one unfortunate result. The colleges were unable to supply the additional teaching required, and the candidates therefore resorted in great numbers to private tutors who crammed them. A pamphleteer, writing in 1853, declared that the change made in the examination in 1837 “has done more to increase the necessity of catechetical instruction to the students for ordinary degrees than any previous change in Uni-

<sup>1</sup> W. W. Rouse Ball, *A History of the Study of Mathematics at Cambridge* (1889), chapter vii; Sir G. B. Airy, *Autobiography* (1896), p. 48.

<sup>2</sup> See p. 70.

<sup>3</sup> Ecclesiastical history was added later.

<sup>4</sup> It was not until 1858 that the separate existence of the ordinary degree examination was officially recognised. W. W. Rouse Ball, *The Origin and History of the Mathematical Tripos* (1880), p. 16.

versity examinations, and has introduced private tuition in its worst form".<sup>1</sup> The fear of playing into the hands of private tutors was doubtless partly responsible for the acquiescence of the University in the low standard of attainments demanded for an ordinary degree, for to raise the standard would encourage cramming. Though improved, the examination continued to be far too easy; but the problem of the poll man is difficult, and perhaps still awaits solution.

The Mathematical Tripos, as it now came to be called, also underwent great alteration. Partly to allow the examiners more time, and partly to enable the knowledge of the candidates to be more thoroughly tested, the duration of the examination was much extended; but as experience had revealed the danger of the candidates neglecting the more elementary parts of mathematics in order to distinguish themselves in its higher branches, the additional time thus gained was almost entirely devoted to book work. The abandonment of the practice of dividing the honour candidates, according to how they acquitted themselves in the exercises, into two groups<sup>2</sup> separately examined, was also a notable improvement; but though the exercises, having fallen into the last stages of decay, were not being treated seriously, and there was a growing recognition of the desirability and convenience of examining all the candidates for the same examination together, there was much halting on the way. In 1827 the Senate passed a report of a syndicate which recommended that the examiners should be permitted, though not compelled, to set the same questions to all the candidates alike; and in 1832 approved another report which, going a step further, made the recommendation that during the first four days the examination must be the same for all the candidates. The final stage was only reached in 1838 when the Senate sanctioned yet another report which, though it provided for the continuance of the exercises, abolished the system of groups. It ruled that the same questions should be proposed "to all whom the Moderators shall judge from the public exercises in the Schools to be qualified for examination as candidates for mathematical honours", though it was clear enough that the exercises, as then conducted, could not possibly assist in the formation of such a judgment. The exercises had, indeed, been struck the fatal blow; and, though no official action was taken, they ceased to be held after 1839.

<sup>1</sup> W. Marsh, Remarks addressed to the Studies Syndicate, 1 December 1853, Cam Collection, University Library.

<sup>2</sup> The third group consisted of the ordinary degree candidates.



The direction, in which reform of the Mathematical Tripos was moving, is unmistakable, and there was no deviation from it in a report which was approved by Grace in 1846. The report recommended that the examination should be divided into two parts, separated by an interval of eight days, that only those candidates should be qualified to proceed to the second part whom the examiners declared to have so acquitted themselves in the first and more elementary part as to deserve mathematical honours, and that those who had not so acquitted themselves, but yet in the opinion of the examiners had attained the standard of an ordinary degree in mathematics, should be allowed to qualify for that degree by passing in the other subjects of the examination for it. The University may therefore truly be said to have been both consistent and educationally enlightened. It had, indeed, failed to provide a satisfactory examination for the ordinary degree, but it had established a Mathematical Tripos of which it could be justly proud. And this task had been accomplished with the minimum of friction and dissent.<sup>1</sup>

The reform of the medical course was in a way an even greater achievement, for it was pioneer work. When John Haviland was appointed in 1817 Regius Professor of Physic, he became responsible for a hitherto neglected subject in which little or no interest was taken. It says much for his courage that he was undaunted by his dismal heritage. In 1819 he began a course of lectures on the Principles of Medicine, which he continued annually to deliver; and in the same year he instituted an examination for the degree of Bachelor of Medicine.<sup>2</sup> In June 1821 the Senate passed a Grace, requiring all candidates for a first degree in medicine to produce a certificate of having attended the lectures of the Professor of Physic during two terms;<sup>3</sup> but such certificates are not generally of much value, and Haviland put much more faith in his examination. Yet he must have greatly doubted whether it would do all that he hoped of it, for, as he conducted it single-handed, it could not be very searching, and, as it was unsanctioned by the Senate, there was no certainty of its continuance by his successors. Moreover, as medical students, like other undergraduates, were compelled to pass the recently

<sup>1</sup> The reports of the various syndicates appointed between 1822 and 1846 to consider changes in the examinations for honours and the ordinary degree will be found among the University Papers, University Library, D.C. 5300 and H.C. 1. See also W. Whewell, *Of a Liberal Education*, Part I (1840), pp. 169-197; Part II (1850), Appendix; W. W. Rouse Ball, *The Origin and History of the Mathematical Tripos* (1880).

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 80.

<sup>3</sup> H. Gunning, *Ceremonies* (1828), p. 193.

established Previous Examination, there was a danger of their paying even less attention than heretofore to their professional studies. The University had, indeed, a long way to go before it could boast of the medical course it prescribed, or even legitimately express satisfaction with it; and, but for Haviland, it might have dallied long before girding itself for the journey.

For it was probably at his instigation, and certainly with his warm approval, that the Senate on 30 June 1827 appointed a small syndicate, of which he was one, "to consider whether any, and what, improvements can be made in the examinations for medical degrees, and to report thereon to the Senate in the course of Michaelmas term next".<sup>1</sup> The syndicate wasted no time, publishing a first report on the following 8 October, and a second a fortnight later.<sup>2</sup> They recommended that the Professors of Chemistry, Anatomy and Botany should assist the Professor of Physic in the examination for the degree of Bachelor of Medicine, which was to be held terminally, to be conducted in English by written questions and answers, and to include pathology, the practice of physick and clinical medicine, anatomy, physiology, chemistry, pharmacy, and botany so far as it is connected with medicine. No candidate was to be allowed to sit for this examination unless he produced a certificate of regular attendance at one lecture course of each of the above named Professors and of the Downing Professor of Medicine if he gave "lectures on a subject different from the other Professors".

As most of the colleges had no vested interests in medical instruction, it is unlikely that these recommendations, far reaching though they were, would have been seriously opposed if they had stood alone. But the syndicate also proposed that no person, subsequently admitted to a college, should be permitted to proceed to the degree of Bachelor of Medicine if, when *in statu pupillari*, he had been engaged in the "practice of pharmacy or midwifery or in any trade whatsoever"; and by making this recommendation they rekindled the ashes of a comparatively recent controversy. At the end of the previous century Frederic Thackeray, who had practised in the town as a surgeon for several years, entered Emmanuel as a Fellow Commoner, intending to qualify as a physician; and he had no reason to think that he became disabled from doing so by continuing to practise as a surgeon. He was therefore completely taken

<sup>1</sup> Grace Book, 30 June 1827, University Registry.

<sup>2</sup> University Papers, University Library, D.C. 5400.

by surprise when in 1804 Sir Isaac Pennington, then Regius Professor of Physic, declined to allow him to keep an act for a first degree in medicine, on account of the provision in the fifteenth chapter of the Elizabethan statutes of the University, "Medicinæ studiosus sex annos rem medicam discet ejus lectionis auditor assiduus", which in the Professor's opinion could not be fulfilled by a person who had been engaged in professional practice. It is strange that Pennington should have had this scruple of conscience, as he was singularly regardless of his own statutory obligations; but if he was influenced by other and less avowable motives, he prudently concealed them. He also wisely took shelter from attack by admitting that he might have acted erroneously; and appealed for an authoritative ruling to the Vice-Chancellor, who was Dr Davy, Master of Caius. The Vice-Chancellor, believing Pennington's doubts to be well founded, at once summoned a meeting of the Heads to interpret the statute; and it is said that by his eager advocacy he persuaded a majority of them to approve an interpretation which accorded with his own opinion.

"Whereas doubts have arisen", it ran, "respecting the meaning of the statute [De Studiosis Medicinæ] we, the undersigned, are of opinion, and do determine, that the statute is to be thus interpreted, that is to say: that according to the true intent and meaning of the said statute, no person can be admitted as a candidate for the degree of Bachelor of Physic who has been habitually engaged, within the period of time prescribed by the said statute, in the practice of any trade or profession whatsoever."<sup>1</sup>

This interpretation was defended as a preventive against the "degradation of the medical profession";<sup>2</sup> and it is possible that Dr Davy, who had continued to practise as a physician after becoming Master,<sup>3</sup> was particularly solicitous for the honour of his calling. But this defence was not effective against the objection that the interpretation was an extension of the plain meaning of the statute. Moreover, even if legitimate, it was sufficiently a novelty to make its application to Thackeray very

<sup>1</sup> H. Gunning, *Reminiscences* (1854), vol. II, pp. 191-195. The interpretation was signed by the Vice-Chancellor and eight Heads, that is by a majority of the whole body.

<sup>2</sup> *Ibid.* pp. 192-193.

<sup>3</sup> "He was elected Master, 31 May 1803.... He did not, however, abandon his practice in consequence—except during his year of office as Vice-Chancellor, 1803-4—until about 1811"—J. Venn, *Biographical History of Gonville and Caius College* (1901), vol. III, p. 134.

unfair; but, nevertheless, he was its first victim, being refused permission to keep his act. He received much sympathy. "The affair", we learn, "was much canvassed at the time, and the members of the Senate expressed their opinion very freely on the conduct of the majority of the Heads";<sup>1</sup> and not without effect, as in 1815 the Heads rescinded the obnoxious interpretation. As, however, it was understood that they had done so because they regarded it as unwarranted by the plain meaning of the statute, and not because they considered it imposed an undesirable restriction, they were suspected of hoping to achieve their purpose by other means.<sup>2</sup> This suspicion was confirmed by the announcement in 1822 of a Grace "to enact that no person, after the year, 1827, shall be admitted to the degree of Bachelor of Medicine, who, while *in statu pupillari*, has been engaged in the practice of medicine and surgery". There was at once a call to arms, and the renewal of the controversy was only averted by the withdrawal of the Grace.<sup>3</sup>

Therefore, when the syndicate, appointed on 30 June 1827, recommended that no person who, when *in statu pupillari*, had practised pharmacy or midwifery, or had been engaged in any trade whatsoever, should be qualified to proceed to the degree of Bachelor of Medicine, they were treading on very dangerous ground. It is true that their recommendation was an improvement upon the interpretation of 1804, as it was less exclusive and was not to apply to persons already admitted to a college; but it clearly would have been prudent to have submitted it to the Senate in a separate Grace, so that it could be voted upon apart from the other recommendations of the report. The Syndics, unfortunately, did not take this precaution, and paid the penalty for their rashness. On 24 October the Senate was asked to approve a single Grace for the confirmation of "the regulations (recently circulated) for the further improvement of the examinations and qualifications of candidates for the degree of Bachelor of Medicine"; and rejected it.<sup>4</sup>

The blunder thus made was happily not irreparable. On 3 December 1828 the Senate appointed another and a larger syndicate with the same powers and instructions;<sup>5</sup> and the report of this body, which was

<sup>1</sup> H. Gunning, *Reminiscences* (1854), vol. II, p. 195.

<sup>2</sup> Fly-sheet, 25 May 1822, University Papers, University Library, D.C. 5400.

<sup>3</sup> *Ibid.* Grace Paper, 20 May 1822, University Papers, University Library, A.C. 206.

<sup>4</sup> Grace Paper, University Papers, University Library, A.C. 206. The report of the Syndicate is inserted in the Grace Book, University Registry, and at the end of it is written "Non Plac in B H H".

<sup>5</sup> Grace Paper, University Papers, University Library, A.C. 206.

published in February 1829, only differed from that which had been rejected in unimportant details.<sup>1</sup> But the Senate was not asked to vote upon it as a whole. On 27 February 1829 two Graces were brought forward, and it was to the second of them that the recommendation which had wrecked the earlier scheme was relegated. Both were approved; but whereas the first was passed unanimously, the Non-Regent House divided on the second.<sup>2</sup>

Thus after some tribulation Haviland brought his ship into harbour, and he was certainly well pleased that henceforth the candidates for a first degree in medicine would be more thoroughly tested than at any previous period in the University. But, though pleased, he was far from being completely satisfied. It was clearly undesirable that the University should confer these degrees without any assurance that the recipients of them had acquired an adequate knowledge of medical practice; and they had plenty of time in which to gain this experience, for though they were only compelled to reside nine terms, they could not proceed to their first degree until their names had been on the books of a college for five years. Therefore in March 1834 Haviland obtained the Senate's approval of a regulation which prescribed that all candidates for the degree of Bachelor of Medicine must produce certificates of having attended some well-known hospital and of having heard medical lectures, either during a period of two years or for as long as they had been absent from Cambridge. He succeeded at the same time in carrying another reform. From a remote period the University had licensed persons to practise as physicians, though it was not authorised to do so by its statutes;<sup>3</sup> and by the nineteenth century it had become customary only to grant these licences to Bachelors of Medicine of at least two years' standing. Consequently a Cambridge medical student had to wait seven years before beginning to earn his livelihood; and as the popularity of the school was thereby adversely affected, Haviland obtained the Senate's sanction of a regulation which allowed Bachelors of

<sup>1</sup> The principal differences were that the candidates were only required to attend the courses of lectures delivered by the Professors if those courses consisted of a stated number of lectures, and that the Professors conducted separate examinations for the degree.

<sup>2</sup> Grace Paper, University Papers, University Library, A.C. 206; Grace Book, University Registry; C. H. Cooper, *Annals*, vol. iv, pp. 559-560.

<sup>3</sup> J. Venn, *Grace Book* Δ, pp. xiii-xv. The Elizabethan statutes only gave the right to confer the degrees of Bachelor and Doctor of Medicine, and to grant licences to practise surgery.

Medicine to be licensed to practise as physicians in the term following that in which they had proceeded to their degree, provided that they passed an examination conducted by the Regius Professor of Physic and a Doctor of Medicine. Thus a concession to medical students was coupled with an assurance of their fitness to receive it.<sup>1</sup>

It was, however, doubtful whether the assurance was sufficient, or, in other words, whether the examination was likely to be as thorough and testing as it ought to be. It, moreover, could be escaped by a Bachelor of Medicine who was prepared to wait two years after taking his degree for his licence; and, even if examined for his licence, it was doubtful whether he could safely be allowed to practise without any more experience than could be acquired by spending a short time in a hospital. Haviland was conscious of these defects, and, in accordance with his wishes, the Senate in April 1841 approved new regulations which required "every candidate for a licence *ad practicandum in medicina* . . . to pass an examination to the satisfaction of the Regius Professor of Physic, the Professor of Anatomy, the Downing Professor of Medicine and a Doctor of Physic"; and, if not a Master of Arts, to produce certificates of having attended on hospital practice for three years and heard lectures on certain specified topics.<sup>2</sup> But these regulations departed still more violently from traditional and statutory procedure by requiring "every candidate for the degree of Doctor of Physic, who has not previously obtained a licence *ad practicandum in medicina*, . . . to produce to the Regius Professor of Physic the same certificates and pass the same examination as are required in the case of candidates for a licence *ad practicandum in medicina*".<sup>3</sup> It was the first time in the history of the University that a candidate for a doctor's degree had been required to undergo an examination.

Haviland published little, and he is now forgotten in the University; "but if the progress of the medical school since his time", as Sir Humphry Rolleston well says, "be a monument to his saving grace,

<sup>1</sup> Grace Paper, 1834, University Papers, University Library, A.C. 206; C. H. Cooper, *Annals*, vol. iv, p. 580.

<sup>2</sup> Masters of Arts, who were candidates for a licence to practise as physicians, were required by these regulations to produce evidence of having studied medicine for five years after becoming Bachelors of Arts, of having attended on hospital practice for three of these five years and of having heard lectures on the same subjects as were prescribed for other candidates.

<sup>3</sup> W. Whewell, *Of a Liberal Education*, Part II (1850), Appendix.

he could hardly have wished for a greater".<sup>1</sup> He had completely revolutionised the Cambridge medical course; and though, shortly before his death, he informed the Royal Commissioners that the study for which he had laboured was at a very low ebb in the University,<sup>2</sup> he had the satisfaction of knowing that he had laid foundations upon which later generations could build.

Though the legal studies of the University stood in need of equally drastic reform, they did not receive it. Yet they were not left completely untouched. James William Geldart, who in 1814 became Regius Professor of Civil Law, had the good sense to realise that the candidates for the degree of Bachelor of Laws ought to be required to do more than keep a single act and attend for three terms the Professor's lectures; and therefore, two years after being appointed, he instituted "a regular series of terminal examinations which he compelled every student in law to pass before permission was accorded to dispute in the Schools".<sup>3</sup> As these examinations were presumably to a great extent upon the Professor's lectures, the candidates needed to do little more than reproduce their lecture notes; but it was at least something that they should be encouraged to listen to the lectures they were obliged to attend. But it was not very much; and of the courses for first degrees in arts, medicine and law, the last underwent by far the least change. Henry Maine, who succeeded Geldart in the professorship, informed the Royal Commissioners that the whole faculty was discredited by the widespread belief, particularly among undergraduates, that a first degree in law was very easily acquired; and though he indignantly denied that this was the case, it has to be remembered that on such a point undergraduates are generally far better judges than their teachers.<sup>4</sup>

But law students received at least a flick of the reformer's brush, as did also the Ten-Year men and the privileged few who were entitled under the statutes to proceed to degrees without fulfilling the prescribed conditions of residence or undergoing any intellectual test. In 1825 an anonymous pamphleteer enlarged in bitter language upon the disgrace which the University suffered from the growing army of Ten-Year men. He declared that by misquoting passages from the Greek Testament, murdering syntax and violating logic, they converted the Divinity Schools into a "temple of fun and frolic" for undergraduates,

<sup>1</sup> Sir Humphry Rolleston, *The Cambridge Medical School* (1932), p. 171.

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 81.

<sup>3</sup> *Ibid.* pp. 78, 80.

<sup>4</sup> *Ibid.* p. 78.

who flocked to hear these exhibitions of ignorance; and he asserted that of the one hundred and thirty Ten-Year men who had proceeded to the degree of Bachelor of Divinity since 1719, "it would be difficult, with every allowance that can fairly be asked, to select a tenth part as at all worthy of the honour".<sup>1</sup> This appeal was addressed to Dr Kaye, who was the Regius Professor of Divinity; and he responded to it by requiring the Ten-Year men to pass an examination conducted by himself.<sup>2</sup> It is most unlikely that this examination was a severe test, but it possibly excluded some of the more unworthy of the candidates.

The *nobiles* and *tanquam nobiles*, as they were called, did not provoke the same amount of scandal within the University, which still paid much deference to birth and rank; but even these gilded youths were unable to escape the examination net. By a Grace passed in March 1825 they were obliged, before proceeding to the degree of Master of Arts, to keep by residence seven instead of six terms, and to pass the Senate House Examination.<sup>3</sup> As it was only necessary for them to attain the standard of an ordinary degree, the intellectual test to which they were submitted was not severe; but it was at least a gain that they should no longer be able to waste their time with complete impunity.

The institution of the Previous Examination in March 1822<sup>4</sup> also did something to meet the criticism that undergraduates were encouraged to be idle by the omission of the University to enquire into the progress they were making in their studies until near the end of their time. But it was but a very half-hearted attempt to remove a serious defect, for the examination, which had to be taken in the fifth term of residence, was and remained extremely elementary, owing to the fear of distracting the men from the pursuit of mathematics and deranging the system of college instruction.<sup>5</sup> But absolutely nothing was done to supply an equally serious deficiency—the absence of a University entrance examination. It was well known that many of the colleges admitted, and would continue to admit, young men who were quite unfit to profit by a sojourn at the University; but a proposal to prevent them

<sup>1</sup> Philotheologus, *A Letter to the Right Rev. John, Lord Bishop of Bristol* (1825).

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 76.

<sup>3</sup> H. Gunning, *Ceremonies* (1828), p. 212, note. The extension of the period of residence from six to seven terms was necessary as the Senate House Examination was held in January.

<sup>4</sup> See pp. 68–69.

<sup>5</sup> *College Tuition*, by a Fellow (1845). In this pamphlet the Previous Examination is said to impede the studies of the abler undergraduates, and to oblige College Tutors "to do the work of an under Master in a Grammar School".



from doing so by establishing a University entrance examination would certainly have met with formidable opposition, so strong was college feeling. This very necessary reform was advocated in a few pamphlets,<sup>1</sup> but it did not emerge into the realm of practical politics.

But, indeed, the respect in which mathematics was held was almost as great an impediment to the reform of University studies as college sentiment. The establishment of a Classical Tripos in 1822 was certainly a great victory for those who wished to widen those studies,<sup>2</sup> but they had only been able to achieve it by submitting to the condition that no one could sit for the new Tripos who had not attained mathematical honours. It was also only a partial victory in another way, as Dr Wordsworth, who at one time had been foremost in the fight, had urgently but vainly pressed for the inclusion of theology. There was ample justification for his insistence. One of the arguments most frequently advanced against the admission of Dissenters to degrees was that it would prevent the University from effectively carrying on its work of educating and training young men for the Anglican priesthood; and yet it was an acknowledged fact that the provision for the accomplishment of this task was most inadequate. In a pamphlet, which he published in 1822, Professor Monk stated that candidates for ordination were far worse prepared at Cambridge than at Oxford.<sup>3</sup>

Thirteen years later Monk returned to this topic in a sermon which he preached before the University as Bishop of Gloucester;<sup>4</sup> and as then the Dissenters were receiving powerful support in Parliament, his admonition was timely. We hear also that the same deficiency "has been often noticed in episcopal charges and sermons, particularly in the charge addressed to his clergy by the present Bishop of London at his primary visitation in 1830"<sup>5</sup>; and in his *Observations on the Statutes of the University*, Peacock stated that "at least half the students in the University are designed for the Church, and no provision (the lectures of the Norrisian Professor alone excepted) is made for their professional education".<sup>6</sup> Peacock also expressed the belief that few members of the

<sup>1</sup> *An Appeal to the University of Cambridge* (1836); *College Tuition*, by a Fellow (1845).

<sup>2</sup> See pp. 65-71.

<sup>3</sup> Philoquantus, *A Letter to the Right Rev. John, Lord Bishop of Bristol* (1822).

<sup>4</sup> C. Perry, *Clerical Education considered with an especial reference to the Universitie.* (1841), p. 5.

<sup>5</sup> *Ibid.*

<sup>6</sup> G. Peacock, *Observations on the Statutes of the University* (1841), p. 168. The Bishops required all Cambridge candidates for ordination to present a certificate of having attended a certain number of the lectures of the Norrisian Professor of Divinity.

University were not ready to take the "most prompt and decisive measures for the effectual remedy of so great an evil";<sup>1</sup> and he was doubtless encouraged by the knowledge that some of the Heads of Houses were of his way of thinking. But though the Dissenters, by clamouring for admission to degrees, had induced the University to consider the question of clerical education more seriously than hitherto, the difficulties in the way of devising a scheme, which would be both effective and acceptable, were very great. If undergraduates, intending to take Holy Orders, were required to pass an examination in theology before qualifying for a degree, their mathematical studies might suffer, and if the examination and the preparation for it were postponed until after they had proceeded to a degree, the additional residence, thereby rendered necessary, would be expensive for them and inconvenient to the colleges. Thus, though there was the will to repair a grave omission, there was not a very obvious way.

The difficulty was boldly faced by Charles Perry, a Fellow and former Tutor of Trinity, who in a pamphlet, which he published early in 1841, suggested that ordination candidates should be required after graduation to attend the lectures of the Divinity Professors, and to pass an examination, upon which a certificate should be awarded, in the subjects of those lectures.<sup>2</sup> Perry certainly guessed the balance of academic opinion correctly in preferring an increase in the cost of education to a competition between mathematics and theology; and the outlook was bright, as the Bishop of London approved his suggestion,<sup>3</sup> and the Vice-Chancellor, Dr Graham, seemed to be inclined to propose that it should be considered by a syndicate.<sup>4</sup> "I once more cherish the hope", wrote Perry on 12 March 1841, "of gaining our first object, the full consideration of the whole matter, and my great desire now is to lay down some distinct and definite plan of theological instruction which we may submit to the syndicate (when we have one) as the ground-work for their deliberations."<sup>5</sup>

This promise of the morning was not fulfilled. Dr Graham, who was an enlightened man, was certainly in favour of provision being made for theological instruction in the University; but, having after reflection come to the conclusion that there were insuperable objections to an

<sup>1</sup> *Ibid.*

<sup>2</sup> C. Perry, *Clerical Education considered with an especial reference to the Universities* (1841), pp. 23-25.

<sup>3</sup> *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), p. 157.

<sup>4</sup> *Ibid.* p. 158.

<sup>5</sup> *Ibid.*

extension of the period of residence, he dropped the idea of appointing a syndicate, and decided instead to prepare a scheme of his own, which, after being considered by the Heads, should be submitted to the Senate. He lost no time, for by the middle of April 1841 the Heads were in possession of his plan. He proposed that all candidates for the degree of Bachelor of Arts should take their final examination and be admitted *ad respondendum quaestioni* at the beginning of the Easter term of their third year instead of in the Lent term of their fourth year; and that in the Lent term of every year a voluntary theological examination should be held, for which, however, only those could sit who had been admitted *ad respondendum quaestioni* in the preceding Easter term, and had resided "during the Michaelmas term next before the examination and during the Lent term in which it takes place".<sup>1</sup>

Dr Graham was well aware that such a drastic curtailment of the course for the degree of Bachelor of Arts would certainly meet with great opposition, and therefore in the preamble to his plan he made a reasoned defence of this particular proposal. He contended that as undergraduates now began residence at a fairly mature age, they were better equipped than formerly to profit by a University education, and that therefore there was little or no danger of lowering the standard of an honours degree by reducing the period of residence. He also maintained that his proposal had positive advantages: it reduced the expense of a Cambridge education for those who did not intend to enter the priesthood, and permitted them to begin earning their living earlier. Such arguments could not possibly convince men who feared for the mathematical reputation of Cambridge; but opposition was not confined to them alone. It was reasonably held that a voluntary theological examination was almost useless: it would probably not attract many candidates, and therefore do nothing to remove from the University the reproach of failing in its duty to the Church. Only if the Bishops required a certificate of having passed it from all Cambridge ordination candidates, could it be effective; and there was no assurance that the Bishops were prepared to adopt this policy.<sup>2</sup>

Dr Graham therefore failed to please either party. Most of the Heads of Houses condemned his plan, and one of them, the Master of Clare,

<sup>1</sup> 26 April 1841, University Papers, University Library, D.C. 8550. Dr Graham also provided for the Classical Tripos and the examination for the Chancellor's medals to be held in the Easter term, after the admission *ad respondendum quaestioni*.

<sup>2</sup> Dr Corrie in his diary refers to "the futility of the plan as a voluntary thing" *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), p. 161.

“expressed his utter surprise and sorrow that it had been brought forward at all”.<sup>1</sup> It was also bitterly attacked by less august critics, who, in letters to the newspapers, emphasised the discredit which the University would incur by abbreviating the honours course for the degree of Bachelor of Arts. The opposition was, indeed, so general and determined that Dr Graham withdrew the Grace for the approval of his scheme, which had been announced for submission to the Senate on 26 May,<sup>2</sup> and substituted another for the appointment of a syndicate “to consider in what manner a theological examination may be established in the University”.<sup>3</sup> This desperate attempt to save something from the wreck of his hopes failed however, as the Senate rejected his Grace.<sup>4</sup> He had sinned too deeply to be easily forgiven, and, like many another reformer, paid the penalty for not taking sufficient account of the passions and prejudices of mankind. He retired from the Vice-Chancellorship in the following November, having done nothing to further, and a great deal to damage, the cause he had at heart.

But as there was general agreement that something ought to be done, the new Vice-Chancellor, who was Dr Archdall, Master of Emmanuel, was obliged to attempt the troublesome task which had baffled his predecessor. He needed, however, to be very cautious, as the alarm caused by Dr Graham’s thunderbolt had not subsided; and he therefore felt his way very cautiously. The Grace, which he submitted to the Senate on 1 December, for the appointment of a syndicate to consider whether any steps should be taken “to provide a more efficient system of theological instruction in the University”,<sup>5</sup> did not contain a specific

<sup>1</sup> *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), p. 163.

<sup>2</sup> The Grace was withdrawn on 19 May. University Papers, University Library, A.C. 206.

<sup>3</sup> University Papers, University Library, A.C. 206.

<sup>4</sup> As there is no evidence that the Grace was withdrawn, and no record of it in the Grace Book in the University Registry, it may fairly be assumed to have been rejected. A resident member of Trinity, possibly Perry, seems also to have submitted on 26 May a Grace for the appointment of a syndicate with a more extensive reference. It was to consider *inter alia* (1) whether a theological examination might not be established, and the opportunity of an elementary course of theological study afforded, without encroaching upon the time for preparation at present allotted to candidates for mathematical and classical honours: (2) whether the time of residence required before admission to the ordinary examination *ad respondendum quaestioni* might be without disadvantage abridged: (3) whether means might be adopted, which would render the further dependence of the Classical on the Mathematical Tripos unnecessary to the due maintenance of mathematical science in the University.” This Grace was also rejected. University Papers, University Library, A.C. 206.

<sup>5</sup> University Papers, University Library, A.C. 206.

instruction to consider the advisability of establishing a theological examination; and he nominated no one for a place on the syndicate who had "written or taught anything respecting the subject of theological examinations".<sup>1</sup> He, moreover, made it clearly understood that the syndicate was precluded from making a recommendation which involved the curtailment of "the terms now allotted to other studies".<sup>2</sup> His prudence was rewarded, for his Grace passed the Senate with very little opposition.<sup>3</sup>

For a time the Syndics worked together harmoniously. They agreed, with apparently very little trouble, to recommend that Old Testament history should be included in the Previous Examination, that candidates for the ordinary degree should be required to display a knowledge of certain specified portions of ecclesiastical history, as well as a more extensive acquaintance with the New Testament and Paley's *Moral Philosophy*, and that candidates for mathematical honours should attend "with the other questionists<sup>4</sup> the examination in Paley's *Moral Philosophy*, the New Testament and ecclesiastical history", though their place on the Tripos was in no way to be affected by their performance in this examination.<sup>5</sup> Yet, as these minor and, indeed, trivial changes were clearly insufficient to encourage the study of theology, the syndicate were almost obliged to consider whether they should recommend the establishment of a separate examination in that subject; and, as any interference with the degree courses was certain to encounter fierce opposition in the Senate, the only question was whether to propose the institution of a voluntary theological examination, for which only graduates could sit. A motion to this effect was, however, rejected on 4 February 1842 by five votes to four; and it may be safely surmised that the argument which influenced the majority on this occasion was that a voluntary examination would be a mere pretence of a reform. There seemed nothing more to be done; and Corrie, the Norrisian Professor of Divinity, and Whewell were instructed to draft a report

<sup>1</sup> G. E. Corrie, the Norrisian Professor of Divinity, declined to serve on the syndicate, unless its membership was so restricted. *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), pp. 175, 176.

<sup>2</sup> *Ibid.* p. 175.

<sup>3</sup> *Ibid.* p. 176.

<sup>4</sup> That is, the ordinary degree candidates.

<sup>5</sup> In 1838 the Senate had excluded moral philosophy from the schedule of the mathematical Tripos. It was of course absurd to compel candidates in that Tripos to take papers which could be scamped with impunity, but this requirement remained in force until 1855.

of the recommendations upon which agreement had been reached. It was a sorry harvest they were set to glean.<sup>1</sup>

Dr Turton, the Regius Professor of Divinity, who was a member of the syndicate, had voted in the minority on 4 February; and when they met again on 14 February to discuss the report which Corrie and Whewell had drafted, he asked them to consider a scheme he had devised of a voluntary theological examination to be conducted by the three Divinity Professors. Though the request was quite out of order, it was granted; and, what at first sight seems very surprising, the plan in question was very favourably received. Corrie, indeed, in his capacity of Norrisian Professor, absolutely refused to take part in such an examination, declaring that it would certainly be a failure, and that he was already so over-worked as to be engaged in arduous labours "eighteen hours out of every twenty four";<sup>2</sup> but he did not succeed in killing the scheme by his opposition. It was agreed that Dr Turton should revise the draft report, with a view of embodying his proposals in it, and submit it to the syndicate at another meeting.<sup>3</sup>

Dr Turton apparently persuaded all the members of the syndicate, with the exception of Corrie, seriously to consider his proposal of a theological examination; and his success may possibly have been connected with the concern of the University at the time about the decline in the attendance at professorial lectures. The generally accepted explanation of this unwelcome phenomenon was that it was due to the pressure of examinations upon undergraduates who could not therefore afford the time to attend lectures which did not assist them to acquire a degree; and one way of meeting it, as Whewell pointed out in a letter, was to connect professorial lectures "with examinations, till you can get the influence of examinations weakened".<sup>4</sup> Dr Turton's scheme clearly made such a connection, and yet it is strange that it should commend itself to the syndicate on this account, as, owing to Corrie's refusal to co-operate, it only affected two Professors, and one of these, the Lady Margaret Professor, was fortunate enough to be still drawing large audiences.<sup>5</sup> But it certainly established a principle which could be more extensively applied; and, possibly for this reason, the syndicate not only considered but approved it. At a subsequent meeting they agreed to recommend that the Regius and Lady Margaret Professors of Divinity

<sup>1</sup> *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), pp. 180-181.

<sup>2</sup> *Ibid.* pp. 181-182.

<sup>3</sup> *Ibid.* p. 182.

<sup>4</sup> Mrs Stair Douglas, *Life of Whewell* (1881), pp. 247-249.

<sup>5</sup> *Ibid.* p. 249.

should conduct in the Michaelmas term a voluntary theological examination for Bachelors of Arts and for students of law who had performed their exercises for their degree; and that also the Professor of Hebrew should hold an examination in that language for all persons who had passed the theological examination. These recommendations, and those previously agreed upon, were embodied in a report which was submitted to the Senate on 11 May 1842; and the Grace approving it, though opposed in both Houses, was carried by substantial majorities.<sup>1</sup>

Whewell, however, was uneasy, for, though he had supported Dr Turton, he had not found an answer to the question why a healthy-minded young man should take an examination from which he could escape without loss of credit. Therefore in October 1843, being then Vice-Chancellor, he addressed a circular letter to the Bishops, in which he pointed out that the importance of the new examinations "in the eyes of our students, and their influence upon the theological studies in this place, will depend very much upon the weight which their Lordships, the Bishops, are understood to assign to the circumstance of a person having passed them satisfactorily".<sup>2</sup> This appeal was at least partially successful. Most of the Bishops had the good sense to require of the Cambridge candidates for ordination a certificate of having passed the Voluntary Theological Examination, which consequently almost ceased to be voluntary except in name. "The Voluntary Theological Examination", reported Professor Blunt in 1851, "came into operation in 1843, in which year there were fourteen candidates; in 1844 there were thirty-six, in 1845 eighty-three, and so on, in constant increase, till last year when there were two hundred and five, which will probably prove pretty nearly the maximum."<sup>3</sup> But the Voluntary Hebrew Examination, which the Bishops did not support, has a very different history: in 1854 only two men sat for it, and one of them left the examination room after half an hour.<sup>4</sup> But the Bishops can hardly be blamed for thinking that a man could be a very efficient clergyman without a knowledge of Hebrew.

The foregoing detailed survey of the examination system of the University has at least the justification of showing that there was a

<sup>1</sup> The votes were 58 to 25 in the Non-Regent House, and 52 to 19 in the Regent House. *Diary of J. Romilly*, 12 May 1842.

<sup>2</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 278.

<sup>3</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 88.

<sup>4</sup> Vice-Chancellor's Book, November 1855, Whewell Papers.

genuine, though limited, desire for educational reform in Cambridge during the first half of the nineteenth century. The limitations are very obvious, for, owing to the strength of vested interests and old-fashioned prejudices, the University still remained in bondage to mathematics. There was, moreover, no inducement for an undergraduate, not pursuing the medical course, to study the natural sciences which were attracting much attention in the larger world; and the moral sciences, history, and many other subjects which to-day have flourishing schools in the University, were regarded as possessing little educational value, and therefore unworthy to be given the dignity of an honours' course. But if a comparison with the present brings many weaknesses into sharp relief, a comparison with the past reveals almost a new world. The stagnation of the eighteenth century was over; and though there was still a very long way to go and progress was slow, the University had definitely started on the road of educational reform.

In another respect also there had been a great change. It had become very exceptional for a Professor not to perform the duties for which he was paid. Progress towards this better state of things had been tardy, as most of the older generation were not to be stirred out of their comfortable eighteenth-century inactivity. Richard Watson, who had been elected to the Regius Professorship of Divinity in 1771, died in 1816 without having resumed duties which he had abandoned many years before; William Lax, who from 1795 to 1837 was Lowndean Professor of Astronomy and Geometry, never, as far as is known, delivered a single lecture; and Francis Barnes, who held the Knightbridge Professorship of Moral Philosophy from 1813 to 1838, was equally remiss. But among these survivors of a by-gone age Herbert Marsh was honourably distinguished, for in 1809, two years after his election at the age of fifty to the Lady Margaret Professorship of Divinity, he broke a well-established tradition of his chair by delivering a course of lectures. It must be admitted that he was not constant in well-doing, for he only lectured intermittently, and entirely ceased to do so after his elevation to the See of Peterborough, though he retained his professorship until his death twenty years later; but he at least was more conscientious than many of his contemporaries. But it was the younger generation who regenerated the professoriate; and it can safely be said that by the end of the second decade of the nineteenth century a recently elected Professor was expected to lecture regularly, and very seldom disappointed expectations. When a candidate in 1818 for the Woodwardian



Professorship of Geology, Adam Sedgwick, had inadvertently omitted to mention in his address to the electors that he intended to lecture, though he certainly implied that he meant to do so by declaring that he proposed to "use my best endeavours to discharge the important duties of the professorship, and to carry into full effect the intentions of its founder"; and it is significant that he found it advisable subsequently to make a public announcement of his intention to give the annual course of lectures which Woodward had prescribed. Nor was this pledge a mere observance of the decencies, not intended to be taken seriously. Sedgwick, who made a financial sacrifice by accepting the chair,<sup>1</sup> was anxious to comply with the founder's will, which instructed the Professor to give four lectures annually and to be responsible for the custody and exhibition of the collection of fossils which Woodward was bequeathing to the University; and on 21 May 1818, the day on which he was elected, the Senate approved a report of a syndicate which recommended that the Professor should not receive his annual stipend unless he gave the course of lectures which Woodward had prescribed, and that his stipend should be augmented by one hundred pounds if he gave an additional course of lectures. The anxiety of the University that the Woodwardian Chair should cease to be the sinecure that it had practically been from its foundation is thus manifest, and it never had cause to regret Sedgwick's election. He gave his first course in 1819, and continued to lecture, except for very brief intervals, until 1871, when failing health compelled him to appoint a deputy; and during almost the whole of this period he greatly exceeded the requirements of Dr Woodward's will.<sup>2</sup> He enjoyed the happiness of reaping the harvest he had sown; for when in 1850 the University Commissioners were enquiring into the condition of geological studies in the University, he was able proudly to appeal "to the philosophical literature of the last thirty years, and to the many geological essays published by Cambridge men".<sup>3</sup>

But he was only one of many, for nearly all the younger men, elected

<sup>1</sup> At the time of his election Sedgwick was an Assistant Tutor of Trinity, and though it would have been possible, if not strictly in accordance with the terms of Woodward's will, for him to retain this office, he resigned it on becoming Professor, and apparently had always intended to do so.

<sup>2</sup> For a detailed account of Sedgwick's election and of the Woodwardian Professorship, see J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. 1, pp. 152-198.

<sup>3</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 119.

to professorships which had long been sinecures, used them for the purpose for which they had been created. In this company Dr Kaye, who obtained the Regius Professorship of Divinity in 1816, was not conspicuous for merit, for he did not give his first course until he had held his professorship for five years, and only lectured intermittently during the remainder of his tenure of it; but it was well over a century since a Regius Professor of Divinity had lectured, and he at least set an example upon which his successors could improve.<sup>1</sup> But though fifty or so years before he would have been counted as over-righteous, he now fell far short of the standard which was being established. When in 1825 John Henslow was appointed to the King's Professorship of Botany, no lectures had been delivered on that subject in the University for thirty years; but he immediately put an end to this scandal, and in 1850 informed the Royal Commissioners that he had delivered a course of twenty lectures during every Easter term for the last twenty-five years.<sup>2</sup> Also the Professorship of Moral Philosophy was rescued, as has been already mentioned, from the same parlous state by Whewell. But by this time the tradition of Professors giving lectures was well established; and accordingly George Peacock incurred censure in certain quarters for continuing as Lowndean Professor of Astronomy and Geometry after he had become Dean of Ely, and treating his University office as a sinecure. He advanced the defence that for some years he had found it impossible to form a class; but this does not excuse him for retaining an office when he could not possibly discharge its duties.<sup>3</sup>

Reference has already been made to the decline in the attendance at professorial lectures, but for some years they were well patronised. Townsmen as well as gownsmen flocked to hear Professor Marsh's lectures, which were delivered in the University Church; and Smithson Tennant, who had considerable skill in the art of exposition, also attracted a large audience when as Professor of Chemistry he gave in the Easter term of 1814 his first and, owing to his untimely death, only course of lectures.<sup>4</sup> The astonishing success of Professor E. D. Clarke's

<sup>1</sup> As Kaye was born in 1783, he can hardly be said to have belonged to the eighteenth century, but he seems to have been imbued with the spirit of that age. Between 1820 and 1827 he held the three offices of Regius Professor of Divinity, Master of Christ's and Bishop of Bristol. He resigned the professorship in 1827 when he was promoted to the See of Lincoln, but continued as Master until 1830.

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 113.

<sup>3</sup> *Ibid.* p. 122.

<sup>4</sup> *Some Account of the late Smithson Tennant* (1815), p. 34.

lectures on mineralogy has previously been described; and Adam Sedgwick's lecture room continued to be well filled after the decline had begun. For several years Henslow had a class of about sixty or eighty persons;<sup>1</sup> and Charles Darwin, who attended his lectures, has recorded that they "were universally popular and as clear as daylight"; and that "no man could be better formed to win the entire confidence of the young, and to encourage them in their pursuits".<sup>2</sup> Henslow thoroughly deserved this tribute, for he was enthusiastic about his subject: as long as he resided in Cambridge, he was in the habit of receiving his pupils once a week at his house, and these parties are said to have achieved "the same good in Cambridge, in a very pleasant manner, as the scientific societies do in London".<sup>3</sup>

The subsequent decline in the attendance at professorial lectures was mainly attributed to the additional requirements upon the candidates for the ordinary degree and to the establishment of the Previous Examination. It was said to be due to the Previous Examination that "the lectures of Professor Smyth upon modern history, eloquent and thoughtful disquisitions which had long enjoyed great popularity, immediately lost half their audience";<sup>4</sup> and round about the year 1838 Adam Sedgwick discovered that the attendance at his lectures, though still good, was less than it had formerly been.<sup>5</sup> Henslow had a similar experience, which his biographer attributes "to the additions made about that time to the examination for a common degree, which left the men less leisure for studying natural history";<sup>6</sup> and in 1841 a Trinity undergraduate, who attended a supplementary course of chemistry lectures given by Professor Cumming, found that he had only two companions.<sup>7</sup>

These statements suggest that poll men were sometimes not without intellectual curiosity, and it is regrettable that the establishment of the Previous Examination, and the slight additions made to the requirements for an ordinary degree, convinced both them and their Tutors that they

<sup>1</sup> L. Jenyns, *Memoir of J. S. Henslow* (1862), pp. 39-40.

<sup>2</sup> *Ibid.* p. 52.

<sup>3</sup> *Ibid.* The Cambridge Ray Club is the direct outcome of these weekly receptions—A. C. Seward, *John Ray* (1938), privately printed.

<sup>4</sup> W. Whewell, *On the Principles of English University Education* (1837), pp. 70-71.

<sup>5</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 119; C. A. Bristed, *Five Years in an English University* (3rd edition), p. 166.

<sup>6</sup> L. Jenyns, *Life of J. S. Henslow* (1862), pp. 39-40.

<sup>7</sup> C. A. Bristed, *Five Years in an English University* (1873), p. 166.

must forego the luxury of mental improvement in order to make sure of passing their examinations.<sup>1</sup> It is also not unlikely that some of the candidates for mathematical honours, being unable to take the Previous in their stride, and finding that the Tripos made exacting demands upon them, had less time than heretofore to pursue knowledge for its own sake; but this does not explain why more of them did not attend the lectures of the Mathematical Professors.<sup>2</sup> But as the instruction given by these Professors did not generally bear directly upon the Mathematical Tripos, whereas the instruction given by the colleges invariably did, it is intelligible that candidates for that Tripos, who were anxious to obtain a good degree, often preferred to confine themselves to college lectures, and that their Tutors approved their choice.<sup>3</sup> Account must also be taken of the difference in character between college and professorial lectures. The former were "of the nature of lessons at school", undergraduates being called upon to construe passages from classical authors or to prove orally a mathematical proposition, so that their mistakes could be corrected by the lecturer; whereas in professorial lectures the student was only a listener, and might possibly not understand much of what was said.<sup>4</sup> Consequently, as a preparation for an examination, the tutorial lecture had the advantage.

Whewell was certainly not an enemy of college lectures, for, as he pointed out, if they became unnecessary, the arguments "for colleges and for college fellowships are destroyed";<sup>5</sup> but he desired to improve the attendance at professorial lectures, and believed, as has been mentioned earlier, that this might be done by connecting them with the examinations of the University. He also hoped, by establishing such a connection, to discourage undergraduates from resorting so extensively to private tutors, for though the colleges claimed to provide all the

<sup>1</sup> Professor Cumming stated that "the study of chemistry has not only been neglected but discouraged in the University, as diverting the attention of pupils from what have been considered their proper academical studies". *University Commission Report* (1852), Correspondence and Evidence, p. 102.

<sup>2</sup> The Plumian Professor of Astronomy and Experimental Philosophy stated that the attendance at his lectures fell "somewhat below the number that by previous reading and acquaintance with mathematics would be able to profit by experimental and illustrative lectures". *Ibid.* p. 107.

<sup>3</sup> In a letter to General Grey of 29 October 1860, Dr Philpott stated that "it is only within the last ten or twelve years that students have been obliged to pay any attention at all to the lectures of Professors". Royal Archives, Windsor Castle.

<sup>4</sup> W. Whewell, *Of a Liberal Education* (1850, 2nd edition), Part 1, pp. 111 ff.

<sup>5</sup> Vice-Chancellor's Book, 1842-1843, Whewell Papers.

necessary instruction, the men did not think that they succeeded in doing so, and by employing private tutors greatly increased the cost of their education. If this practice could be restrained within reasonable limits, the pockets of the undergraduates and the educational reputation of the colleges would both benefit.

Therefore, shortly after becoming Vice-Chancellor for the first time, Whewell submitted a Grace, which was approved by the Senate on 16 November 1842, for the appointment of a syndicate to consider "whether it is desirable to take any measures, and if so what, to secure a correspondence between the mathematical and classical examinations of the University and the mathematical and classical lectures of University Professors".<sup>1</sup> The report of this syndicate, which was published in February 1843, declared that a satisfactory correspondence between the classical lectures of the University Professors and the classical examinations of the University existed;<sup>2</sup> but, with a view of promoting a closer correspondence between the Mathematical Tripos and the lectures of the Mathematical Professors, it recommended that in the current year, and again in 1846, the examiners for the Smith's Prizes, in conjunction with the Moderators and examiners for mathematical honours of the year and the two preceding years, should draw up a statement for publication to the University, "describing the portions of mathematics and natural philosophy to which, in their judgment, the examination of questionists, candidates for mathematical honours, ought to extend, and to which they ought to be confined"; and that after 1846 the Senate should consider the expediency of establishing this practice on a permanent footing.

"The syndicate", proceeded the report, "trust that the statements thus published will be taken as guides by the Moderators and examiners of the questionists, for the time being, in proposing their questions to candidates for honours; and since there are among the examiners for the Smith's Prizes three Professors concerned with mathematical subjects, the syndicate conceive that the publication of such statements will tend to facilitate a correspondence between the mathematical lectures of the University Professors and the mathematical examinations of the University."<sup>3</sup>

<sup>1</sup> University Papers, University Library, A.C. 206.

<sup>2</sup> This was probably a correct statement. The number of candidates for the Classical Tripos between the years 1838 and 1843 ranged between 24 and 38; and Bristed mentions that in 1843 the class of the Regius Professor of Greek, the only Classical Professor, "was rather under than above thirty" in 1843. C. A. Bristed, *Five Years in an English University* (1873, 3rd edition), p. 166.

<sup>3</sup> University Papers, University Library, D.C. 5300.

This plan was never put into operation, for on 31 March 1843 the report was rejected in the Non-Regent House by twenty-seven votes to nineteen.<sup>1</sup> Whewell was very much disappointed. He believed that if the Mathematical Professors assisted to determine the scope of the Mathematical Tripos, they would adapt their lectures to it, and that consequently undergraduates would be able to dispense with private tuition. His critics, however, considered that he was sacrificing the colleges, though perhaps unintentionally, to the University. They were quick to detect the lurking danger of instruction in mathematics falling under the control of the University, and of Professors encroaching on a province which Tutors regarded as their own; and such possibilities were quite enough in their eyes to condemn the scheme. Whewell believed that he owed his defeat to the Johnnians;<sup>2</sup> and, as St John's was then gaining many successes in the Mathematical Tripos, it was probably unwilling to relax its grasp upon the instruction of its undergraduates. But it was not singular in this respect, for though Professors were expected to lecture, they were not expected to compete for custom with the colleges.

But this was not the only difficulty which arose from the development of a sense of duty in the professorial body. Some Professors received, including lecture fees, considerably less than one hundred pounds a year, and few of them much more than three hundred pounds a year; and, as nearly all of them were discharging their duties, the insufficiency of their stipends had serious consequences. Sometimes they were driven to undertake hack work in order to earn a living wage. Henslow, for instance, being a married man, was compelled to supplement the scanty income he received as Professor by taking private pupils, and has left on record that "five or six hours devoted to cramming men for their degrees, is so far apt to weary the mind as to indispose it for laborious study".<sup>3</sup> Sometimes, in order to escape such drudgery, a Professor accepted a country living, and resorted to the undesirable expedient of paying flying visits to Cambridge to deliver lectures.<sup>4</sup> Moreover, electors were not infrequently obliged to appoint a second-rate man, owing to a dearth of good candidates who would probably have been

<sup>1</sup> Diary of J. Romilly, 31 March 1843; C. H. Cooper, *Annals*, vol. iv, p. 659.

<sup>2</sup> Mrs Stair Douglas, *Life of Whewell* (1881), pp. 287-288.

<sup>3</sup> L. Jenyns, *Memoir of J. S. Henslow* (1862), p. 57.

<sup>4</sup> Henslow in 1837 took a living in Suffolk, and, though he continued to lecture during one term of the year, he ceased to reside in Cambridge. As an absentee he could not possibly exercise the same stimulating influence as before; and the interest hitherto taken in botany perceptibly waned.

forthcoming if the professorship offered had been more financially attractive.

But, as the University lived financially from hand to mouth,<sup>1</sup> and the idea of the colleges coming to its assistance had not yet been launched, little could be done to remedy this evil. There was no difficulty in providing an additional annual payment of one hundred pounds for the Woodwardian Professor of Geology, as this charge could be borne by the income from the estates which Dr Woodward had bequeathed to the University; but it was only after a careful enquiry into the finances of the University and considerable delay, that the Senate approved in February 1829 a recommendation that the stipend of the Plumian Professor of Astronomy should be raised from three hundred to five hundred pounds by a yearly grant from the University Chest.<sup>2</sup> It is unlikely that this increase would have been sanctioned if George Airy, who had recently been elected to the professorship and was much respected, had not urged it as needed to enable the Professor to devote himself exclusively to the discharge of his duties; for there was a not unreasonable fear of raising a general clamour for the augmentation of professorial stipends, which could not possibly be satisfied. But though the University did not, and probably could not, do anything more to redress a great grievance, Parliament, by the Ecclesiastical Duties and Revenues Act, passed in the year 1840, provided that the two Canonries of Ely, which "shall be secondly and thirdly vacant, shall be permanently annexed and united to the Regius Professorships of Hebrew and Greek respectively in the University of Cambridge".<sup>3</sup> The stipend of each of these Professors, which was forty pounds a year, was a charge upon Trinity; and as this lowly wage was only supplemented by a few lecture fees and certain allowances, it was miserably insufficient. But, if Parliament had not intervened, the Professors would have continued to suffer, as Trinity in June 1833 had rejected their petition for more liberal treatment.<sup>4</sup> They or their successors were now assured in a not very distant future of a far better income than many of their colleagues.

What was, however, needed was a comprehensive scheme for the

<sup>1</sup> "A Grace passed, concerning a syndicate for increasing some Professors' salaries out of the surplus income of the University. This is a glorious state of things. I never before heard of our having a surplus"—Diary of J. Romilly, 7 March 1861.

<sup>2</sup> *Autobiography of Sir George Airy* (1896), pp. 80-81, 86-87.

<sup>3</sup> L. L. Shadwell, *Enactments in Parliament* (1902), vol. III, p. 88.

<sup>4</sup> Trinity College Conclusion Book, 15 June 1833.

adequate remuneration of all the Professors, and that was not forthcoming. Nor were any steps taken to improve the modes of appointing them, which were by no means invariably satisfactory. The Lady Margaret Professor, for instance, was still chosen by all Doctors and Bachelors of Divinity who had been Regent Masters of Arts, and certain other Professors were appointed by the Senate; though it was clearly impossible for a horde of electors even to pretend to weigh judicially the claims and merits of the competing candidates. It was equally undesirable that the Master and two Senior Fellows of Trinity should be three of the seven electors to the Regius Professorships of Divinity, Hebrew and Greek, and that the Lucasian Professor of Mathematics and the Adams' Professor of Arabic should be elected by the Heads of Houses, for the former of these electing bodies was too heavily weighted in favour of one college, and the latter was not so constituted as to insure an exact appraisalment of the intellectual merits of the candidates. Therefore, almost inevitably, professorial elections, though free from the disfiguring scandals of the eighteenth century, were sometimes determined by considerations which ought not to have been taken into account. In May 1818 the electors to the Woodwardian Chair, who were the members of the Senate, the two University Burgesses, the Archbishop of Canterbury, the Bishop of Ely, and the Presidents of the College of Physicians and the Royal Society, preferred by an overwhelming majority Adam Sedgwick, who was almost certainly completely ignorant of geology, to G. C. Gorham, who was a serious student of that subject or at least of mineralogy.<sup>1</sup> The choice, though fortunate, was certainly not the outcome of an impartial consideration of the claims of the two candidates. Sedgwick was known to be a clever and energetic man, but he might very possibly have not been victorious if he had not been a Fellow of Trinity, and therefore able to acquire many more votes in the Senate than his rival who had resided little in Cambridge and belonged to a small college, Queens', which was disliked and distrusted as a hot-bed of evangelicalism.<sup>2</sup> Moreover, it was not only the large electing bodies who were in danger of failing to act judicially. As

<sup>1</sup> Geology was at this time regarded as a subordinate department of mineralogy, which had become a popular subject; and it is quite possible that Gorham was more of a mineralogist than a geologist. J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. 1, pp. 159-161.

<sup>2</sup> Gorham was later to give his name to a famous controversy about baptismal regeneration. The Bishop of Ely in 1811 had hesitated to ordain him, being doubtful of his orthodoxy on this particular doctrine.



it was still customary for the candidates to canvass for votes, an elector was sometimes precluded by a premature pledge from voting for a man whom he might have supported if he had known earlier of his intention to stand for election. When, for instance, George Airy stood in 1826 for the Lucasian Professorship of Mathematics, and solicited the Heads of Houses, who were the electors, for their votes, he found that several of them were committed to support the Master of Jesus, Dr French. Indeed, Dr French would possibly have been elected if he had not prudently withdrawn from the contest on discovering that Charles Babbage, who was also standing, had been informed by two lawyers, whom he had consulted, that the Master of Jesus, being an elector, was ineligible as a candidate.<sup>1</sup>

Yet, though some evil customs still lingered, the Professors were both more carefully chosen and far more active than in a not very distant past; and, if certain difficulties could be overcome, further progress was assured. Not the least of these difficulties was the poverty of the University, which hampered it at every turn, and, in particular, in providing sufficient lecture rooms for the Professors and suitable accommodation for the various scientific collections. It is true that by 1823 a new observatory, of which the University could be justly proud,<sup>2</sup> had been built in place of that which had been erected on the Great Gate of Trinity and, having fallen into a ruinous condition, had been demolished at the end of the eighteenth century; but unfortunately the cost of the new observatory had greatly exceeded anticipations. As the total expenditure had not been expected to exceed ten thousand pounds, it had been agreed that half this sum should be raised by subscription and the remainder contributed by the University; but, though the subscriptions amounted to over five thousand pounds, the University was obliged to meet a deficit of over twelve thousand pounds, and was consequently not encouraged to embark upon further building, urgent though the need was. In 1818 a syndicate had reported that as the room in which the Woodwardian collection of fossils and minerals was kept, was "too confined to exhibit them to advantage or to receive many more with convenience, it is desirable that a larger should be built, with a contiguous

<sup>1</sup> Wordsworth's *R.B. Books*, vol. III, p. 117; Sir George Airy, *Autobiography* (1896), pp. 69-72.

<sup>2</sup> Shortly after becoming Plumian Professor in 1828, George Airy stated that "all the astronomers who have seen it, English and foreign, agree in declaring it to be better adapted to its purpose than any other similar building in Europe". Willis and Clark, *Architectural History of the University of Cambridge*, vol. III, p. 197.

room for the accommodation of the lecturer”;<sup>1</sup> and in 1825 another syndicate reported that “the want of rooms for public lectures and examinations is becoming every year more urgent”;<sup>2</sup> but these recommendations had not been acted upon when in 1828 Whewell published anonymously a forcible appeal to the Senate. In this manifesto he pointed out that the Professors of the University and their scientific specimens were very badly accommodated. The geological, botanical and anatomical collections were housed in rooms which were either far too small or in other ways unsuitable, and no home had yet been provided for the mineralogical specimens which the University had purchased from the executors of Professor E. D. Clarke. The Professor of Chemistry was obliged to share a lecture-room with the Professor of Botany and the Jacksonian Professor of Natural and Experimental Philosophy; and both the Plumian Professor of Astronomy and the Professor of Mineralogy were compelled to make shift with any room they could get.

“Without some provision for lecture-rooms”, continued Whewell, “and for collections, in addition to what Cambridge now possesses, she will have the mortification to see herself left behind in the cultivation of such studies as are above-mentioned; at a time when her Professors are as zealous as they have ever been, . . . when her students are daily growing in activity and intelligence, and when her scientific possessions are such as to offer no mean foundation for future times to raise into complete collections.”<sup>3</sup>

This appeal was not without effect, for in 1829 the University purchased the old court of King’s College, and appointed a syndicate to consider how it could be “converted to academic use”. Within a few weeks this syndicate had reported that provision should be made “not merely for a large increase of the accommodation of the Public Library, but, likewise, for four additional lecture-rooms, for museums of geology, mineralogy, botany and, if practicable, of zoology, for a new office for the Registrar, for an additional School for the Professor of Physic, and for other purposes connected with the dispatch of the ordinary business of the University”.<sup>4</sup> This grandiose and ambitious programme was unanimously approved by the Senate, and four architects were invited

<sup>1</sup> T. McKenny Hughes and J. W. Clark, *Life and Letters of Adam Sedgwick* (1890), vol. I, p. 197.

<sup>2</sup> Willis and Clark, *Architectural History of the University of Cambridge*, vol. III, pp. 97–98.

<sup>3</sup> *Ibid.* pp. 98–101.

<sup>4</sup> *Ibid.* p. 102.

to submit plans; but, when those plans came under discussion, discord soon began; and it was only after eight years of intermittent and frequently acrimonious controversy that the design submitted by Charles Cockerell was approved.<sup>1</sup> But, on account of lack of money, merely a part of the design, the existing Cockerell's Building, was ever executed; and, as only the Professors of Geology and Mineralogy could be accommodated therein, many of the other Professors continued to work under very great difficulties. The enlargement of a building in the Botanic Garden provided a museum and lecture- and dissecting-rooms for the Professor of Anatomy;<sup>2</sup> but this was hardly more than a makeshift arrangement, and in 1852 the Royal Commissioners commented severely upon the insufficiency of lecture-rooms and suitable museums.<sup>3</sup> But it is only fair to emphasise that it was poverty, not indifference, that had held the University back.

There was, however, an equally urgent need which, though it could have been far more easily met, was only satisfied in a very half-hearted and imperfect fashion. It is a remarkable instance of the conservatism of mankind that the University and colleges were almost as unwilling to revise their antiquated statutes as they were to observe them; and it is unlikely that they would have done even the little that they actually did if they had not been stimulated by fear of intervention by the State. The Parliamentary agitation during the early 'thirties for the admission of Dissenters to degrees had convinced certain politicians that the two ancient Universities were in many important respects hopelessly reactionary, and called for a root and branch reform.

When, for instance, in the Upper House on 11 April 1837 Lord Radnor moved the second reading of his Bill for the appointment of a Commission of enquiry into the working of the statutes and the application of the revenues of the Halls and Colleges of Oxford and Cambridge, he enlarged upon the habitual neglect of the statutory requirements upon Fellows to be in constant residence and not to possess an income of more than a certain amount. He asserted that "a senior Fellow of Merton was at this moment a Lieutenant-General in His Majesty's service, and that

<sup>1</sup> Willis and Clark, *Architectural History of the University of Cambridge*, vol. III, pp. 101-121. Dr Davy, Master of Caius, strongly objected to Cockerell's Building, as it overshadowed the garden of his Lodge, and a later Master of Caius, Dr Guest, said that he would like to see "Whewell and Willis dangling from its roof" *Diary of J. Romilly*, 9 March 1855.

<sup>2</sup> *Ibid.* pp. 154-157. Two rooms were also provided for the Professor of Chemistry.

<sup>3</sup> *University Commission Report (1852)*, pp. 115 ff.

a senior Fellow of Brasenose College held a stall in Hereford Cathedral, held three livings in the same diocese which returned him £1,100, and had a cure of 3,000 souls, while he was himself resident in Paris".<sup>1</sup> But though these revelations did not shock his noble hearers as much as he had hoped, for the Bill was refused a second reading, Lord Radnor could plume himself upon having the best of the argument. His opponents could not possibly deny that many college statutes were habitually broken; and though the Bishop of Llandaff,<sup>2</sup> who had been an Oxford Tutor and then Provost of Oriel, had the temerity to declare that the infractions were such as to bring the statutes into closer conformity with the wishes of the founders, the usual line of defence was that "the Visitors and the Heads of colleges had full powers to remedy any abuses that existed". This was not strictly accurate, and, even if it had been, attributed to Visitors and Heads a reforming zeal which they seldom possessed. The Prime Minister, Lord Melbourne, was not deceived: with characteristic breeziness he declared that Universities, like other institutions, "never reformed themselves; everyone knew that,—everyone knew there was too much competition and jealousy, too many and varied motives, constantly in play, to prevent the desired effect".

Lord Melbourne, however, had no intention of burdening his weak Government with the troublesome task of University reform;<sup>3</sup> but Lord Radnor did not discontinue his campaign, and on 8 May proposed the appointment of a committee to enquire whether the Heads and Visitors really had the power to reform the statutes of colleges. This was a very skilfully devised motion, for it was difficult to oppose it with an unqualified negative; and yet, if a committee was appointed and reported that no such power existed, the case for intervention by the

<sup>1</sup> *Hansard*, 3rd Series, vol. xxxvii, pp. 1001-1043. The Bishop of Hereford asserted that the senior Fellow of Brasenose only held two livings, but did not deny that he lived in Paris.

<sup>2</sup> Edward Copleston.

<sup>3</sup> There was danger of the hand of the Government being forced when George Pryme on 4 May moved that the King should be addressed to enquire into the state of the two Universities, as the motion seemed likely to pass. The Chancellor of the Exchequer pressed Pryme to withdraw his motion, as the King could not undertake such an investigation without Parliamentary authority, and Pryme was also privately told that Lord John Russell wished him to withdraw the motion, and pledged himself to propose such a motion at a suitable moment. Pryme therefore withdrew his motion, in the hope, as he informed the House, "that Ministers would take the necessary steps in these matters on their own responsibility". *Hansard*, 3rd Series, vol. xxxviii, pp. 509-530; G. Pryme, *Autobiographic Recollections* (1870), p. 256.

State would be much strengthened. The only possible objection was advanced by the two University Chancellors, who were present on this occasion. Lord Camden, who had been Chancellor of the University of Cambridge since 1834, stated that most of the Cambridge Colleges were anxious to reform themselves, and that therefore he was sure that their lordships would not accede to the proposition of the noble Earl, inasmuch as it was quite unnecessary; and the Duke of Wellington, as Chancellor of the other University, declared that the Oxford colleges were as virtuously inclined, and that it would be a great calamity if their reforming zeal was damped by the interference of the Government.

“Considering”, he said, “that the Universities were prepared to make all the enquiries that were necessary, and all the alterations which it would be in the power of Parliament to make, he thought it would become the House to pause before it adopted a course which would injure the Universities, and which would throw impediments in the way of ameliorations which it was the decided intentions of those bodies to introduce.”

Lord Radnor did not probably put much faith in these assurances; but as he had gained a pledge, of which the non-fulfilment would completely justify action by the State, he withdrew his motion.<sup>1</sup>

Lord Camden’s assertion that most of the Cambridge colleges were anxious to reform their statutes was not made at random. A few weeks earlier he had taken the precaution of informing the Vice-Chancellor that in the “opinion of the friends of the University in high places, . . . the different colleges would do well to ascertain what authority there had been provided for revising their respective statutes; and, secondly, whether the different societies were willing to apply to such competent authority for a modification of such parts of their respective statutes as required modification”. Having submitted this communication to the Heads of Houses, the Vice-Chancellor arranged for each college to be asked whether it was able and, if so, willing to reform its statutes; and although we have no direct knowledge of the answers he received, it is probable that most of the colleges expressed willingness to revise their constitutions.<sup>2</sup> But it is most improbable that there was any general wish or intention to embark upon such a measure of reform as would

<sup>1</sup> *Hansard*, 3rd Series, vol. xxxviii, pp. 658–675.

<sup>2</sup> *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), pp. 77–78. Corrie also records a visit on 11 May from the Provost of King’s, who stated that he considered himself precluded from undertaking a revision of the statutes of his college “by the tenor of the Provost’s oath”. *Ibid.* pp. 78, 84.

satisfy Lord Radnor and other critics. The repeal of obsolete statutory provisions might be tolerated; but Corrie interpreted academic opinion correctly when he noted in his diary that Lord Radnor is "grievously mistaken if he supposes we shall concede to him any *principle* in our alterations".<sup>1</sup>

So, though there was a show of activity, very little was actually achieved. In 1837 Jesus decided to revise its statutes, but, except for restricting the number of Fellows to six, the new code hardly did more than legalise some existing practices, and even retained in force many provisions of the existing statutes, which had long since ceased to be observed.<sup>2</sup> In the same year Pembroke submitted a revised code to the Crown for approval, which, though rather bolder, did little more than abolish or modify those provisions of the existing statutes which were completely out of date.<sup>3</sup> In 1838 the statutes of Queens' were amended in like fashion by a Royal Letter, for which the college had petitioned;<sup>4</sup> and Peterhouse by the same means obtained the removal of the county restriction upon the award of its fellowships.<sup>5</sup> But though it is easy to ridicule these halting attempts at reform, it is not improbable that, if more had been attempted, even less would have been achieved. Dr Graham, who had become Master of Christ's in 1830, and many members of the society over which he presided, did not flinch before drastic statutory reform; and the revised code, which he and ten of his Fellows in 1838 petitioned the Crown to approve, permitted the Fellows to marry, and allowed persons who were not members of the Church of England to enjoy the emoluments of the college, but it never came into force, as some of the Fellows, objecting to these revolutionary changes, appealed to the Visitor, who ruled that the college must not attempt to change its statutes without previous consultation with him.<sup>6</sup>

The dread of plunging into the unknown, and an exaggerated reverence for the wishes and intentions of past benefactors, militated against comprehensive reform; and the two large colleges of Trinity and St John's were not more daring than the smaller societies. It was not

<sup>1</sup> *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), p. 79.

<sup>2</sup> A. Gray, *Jesus College* (1902), pp. 212-214. The revised code was approved by the Crown in 1841.

<sup>3</sup> A. Attwater, *Pembroke College* (1936), p. 113. The revised code was not approved by the Crown until 1844.

<sup>4</sup> *Documents relating to the University and Colleges of Cambridge* (1852), vol. III, pp. 65-71.

<sup>5</sup> *Ibid.* vol. II, pp. 109-111.

<sup>6</sup> J. Peile, *Christ's College* (1900), pp. 279-280.

until 1848 that St John's petitioned the Crown to approve a revised code which, however, only introduced such changes as "brought the statutes more into line with existing practice, and gave statutory sanction to long-established custom".<sup>1</sup> Four years earlier Trinity had completed a similar task and on the same conservative lines; and as academic reformers were inclined to look to Trinity for leadership, the story of the revision of its statutes is, perhaps, worth telling.

On 24 April 1837 the Master and Seniors of Trinity agreed to revise the college statutes,<sup>2</sup> and the then Master, Christopher Wordsworth, began to discuss possible improvements with the various college officers, and to make notes on their suggestions and his own.<sup>3</sup> But as these preliminary conferences seemed likely to continue indefinitely, some of the Fellows began to suspect that Wordsworth was opposed to the undertaking and intended to abandon it after a decent interval of time had elapsed. Therefore in 1840 two of them published a pamphlet, entitled *An Earnest Appeal to the Master and Seniors of Trinity College, Cambridge, on the Revision of the Statutes*, in which, after pathetically declaring that "it was at one time generally understood (and we would willingly indulge the hope that the attempt is not quite relinquished) that a revision of our statutes was in progress", they urged in the strongest terms the need of something being done quickly. They emphasised the impossibility of observing many provisions of the existing code, the danger of the intervention of the State and the necessity of comprehensive reform.<sup>4</sup>

But Wordsworth was not to be hurried, and little progress was made until he was succeeded in office by Whewell, who, after being Master for two or three months, informed the Seniors that the task of revising the statutes must no longer be delayed. But it was not his intention completely to rewrite them. In a letter written in January 1842, he expressed the opinion "that the changes made should be the smallest which will truly answer the purpose of bringing about an accordance between our laws and our practices, and that we ought to preserve the existing statutes, whenever we can without manifest inconvenience".<sup>5</sup> He also held that the revision should be conducted exclusively by the Master and

<sup>1</sup> Sir Henry Howard, *Finances of St John's College, Cambridge* (1935), p. 185.

<sup>2</sup> Trinity College Conclusion Book, 24 April 1837.

<sup>3</sup> C. Wordsworth to Whewell, 7 June 1841, Whewell Papers; Mrs Stair Douglas, *Life of Whewell* (1881), pp. 254-255; Diary of J. Romilly, 12 July, 10 December 1841.

<sup>4</sup> A copy of this pamphlet is in the Trinity College Library.

<sup>5</sup> Mrs Stair Douglas, *Life of Whewell* (1881), pp. 254-255.

Seniors, without advice or suggestions from the other Fellows; and informed the Seniors on 15 February 1842, when they started upon their labours, that he and they constituted "a Privy Council, and ought not to communicate to others our proceedings".<sup>1</sup>

Between that date and the following 23 April, the Board of Seniority met nearly thirty times,<sup>2</sup> and on 20 May 1842 Whewell communicated to the Home Secretary a first draft of the revised statutes.<sup>3</sup> Within the limits, which he himself had set, many valuable changes had been made. Much unnecessary detail had been discarded. The hours, for instance, at which the examinations for scholarships and fellowships should daily begin and end, were no longer prescribed, and the Master, Fellows and undergraduates were no longer required to recite a set form of prayer on rising in the morning and retiring to bed at night.<sup>4</sup> Many obsolete or most imperfectly enforced provisions also disappeared, such as those which ordained that an income of more than a certain amount was a disqualification for a fellowship,<sup>5</sup> that a Fellow must not be absent from college for more than nine weeks in the year,<sup>6</sup> and that offending undergraduates under a certain age should be birched.<sup>7</sup> Moreover, certain changes, which had been authorised by the Crown after the Elizabethan statutes had become operative, were incorporated in the revised version;<sup>8</sup> and existing practice was to a great extent given statutory recognition. The revised form of the eighteenth statute did not require undergraduates to contend with each other in argument thrice a week in the chapel; and the tenth statute provided for the appointment of Assistant Tutors, who hitherto had received no statutory recognition. But a sound principle was pushed over-far in giving statutory authority to the established custom of allowing only Scholars to sit for the fellowship examination. The Elizabethan statutes had merely required that they should be given a preference, and to substitute for that preference an exclusive right was almost certainly a mistake.<sup>9</sup>

<sup>1</sup> Diary of J. Romilly, 15 February 1842.

<sup>2</sup> Whewell's Journal, Whewell Papers; Diary of J. Romilly.

<sup>3</sup> Whewell to Sir James Graham, 20 May 1842, Home Office Papers, O.S. 9199.

<sup>4</sup> Cap. 12, 13, 16, Elizabethan statutes.

<sup>5</sup> Cap. 8, Elizabethan statutes.

<sup>6</sup> *Ibid.* Under the Elizabethan statutes the holder of a College Preachership could be absent twenty weeks in a year.

<sup>7</sup> Cap. 5, 9, 17, 18, Elizabethan statutes.

<sup>8</sup> In the reigns of George III and William IV the privilege hitherto enjoyed by College Preachers to hold a college living below a certain annual value with their fellowship, had been much restricted, and these restrictions were incorporated in the revised statutes.

<sup>9</sup> Cap. 12, Elizabethan statutes.



But much more might have been done to remove troublesome ambiguities; and it was certainly very regrettable that the statute concerned with the distribution of rooms still contained the clause “seniorem secundum suum gradum juniori, tam inter Socios quam inter Discipulos, semper præferendum statuimus”, and that the statute concerned with the presentation to college livings continued to say “volumus illius præsentationem... Socio secundum suum gradum maxime seniori, ... omnino conferri”; for the precise meaning of *gradus* in these connections had long been a subject of bitter dispute.<sup>1</sup> Nor was it reasonable to continue the imposition of a fine upon Fellows for non-attendance at the services in Chapel, and still to require the examiners for scholarships and fellowships to prefer candidates who had been born in counties or places where the college held livings or property.<sup>2</sup> But the Master and Seniors were not entirely to blame for the omission to remove one very serious ambiguity.

From the days of Bentley very conflicting answers had been given to the question—who was the Visitor of Trinity? The first statutes of the college, granted by Edward VI, appointed the Bishop of Ely as General Visitor; but the Elizabethan statutes, which superseded them, made no mention of a General Visitor, though in the fortieth chapter, entitled *De Magistri si res exigat amotione*, the Bishop of Ely is styled Visitator, and directed to hear all complaints against the Master. Acting under this authority certain Fellows of the college in 1710 appealed to the Bishop against Bentley as Master; and the Bishop accepted jurisdiction. Bentley, however, retaliated by petitioning the Queen to stop the proceedings, pleading that the Crown was the Visitor of the College, and that the Bishop was transgressing by assuming visitatorial functions. His argument was that as the Elizabethan statutes made no mention of a General Visitor, the visitatorial power, which the Edwardian statutes had vested in the Bishop, had reverted to the Crown as representing the founder of the college; and this opinion was supported by previous practice, as the Crown had on several occasions interpreted or amended the statutes, and there was no known instance of the Bishop having acted as Visitor since those statutes came into force. On the other hand Bentley's opponents contended that, as the Bishop was styled Visitator in the fortieth chapter of the Elizabethan code, it had clearly never been intended to repeal that provision in the Edwardian statutes which nominated him as General

<sup>1</sup> J. H. Monk, *Life of Bentley* (1833), vol. I, p. 166.

<sup>2</sup> Cap. 5, 12, 13, Statutes of 1844.

Visitor. Indeed, the opposing arguments were so nicely balanced that the experts were as much at variance as the laymen. In 1712 a majority of the lawyers, to whom the Queen had referred the question, decided that the Crown was the General Visitor, although under the fortieth chapter the Bishop of Ely had the right of hearing appeals against the Master; but not the least eminent of these lawyers, Sir Joseph Jekyll, was of the opinion that the visitatorial power conferred upon the Bishop by the statutes of Edward VI had not been revoked or restricted by the Elizabethan statutes. It may well be that Jekyll was right and his colleagues wrong; for when fourteen or fifteen years later legal opinion was again taken, five distinguished lawyers concurred in the opinion that the Bishop of Ely was the General Visitor of the college.<sup>1</sup> Yet when in 1787 ten junior Fellows of Trinity appealed against the censure passed upon them by the Master and Seniors for having called attention to a gross abuse in the elections to fellowships, they addressed themselves to the Lord Chancellor as the representative of the Crown; and, as his right to adjudicate upon their petition was not challenged, it may be surmised that the college at that time assumed that the Crown was its Visitor. But as it was extremely desirable to remove all danger of a renewal of the dispute, Whewell and the Seniors agreed on 20 April 1842 that all visitatorial power should be vested in the Crown, and revised the fortieth chapter accordingly.<sup>2</sup>

Having received the revised draft of the statutes from Whewell, the Home Secretary, Sir James Graham, submitted it to the law officers of the Crown, who raised no legal objections but advised that the Bishop of Ely should be told of the intention to deprive him of the right to hear appeals against the Master. The Bishop was informed, and was much aggrieved. He had been a Fellow of Trinity and, having an affection for the college, was most unwilling to lose all connection with it. He therefore twice formally refused his consent to the revised form of the fortieth chapter.

“It is my decided opinion”, he wrote on 3 February 1843, “that if the present statute is altered, it should be altered on the sole authority of the present law officers of the Crown, and that the Bishop of Ely, who has doubts as to the propriety of the proposed alteration, possibly through want of sufficient legal knowledge as to the difficulty of working the present

<sup>1</sup> J. H. Monk, *Life of Bentley* (1833), vol. I, pp. 249–250, 299, 325–328; vol. II, p. 264.

<sup>2</sup> Whewell's Journal, 20 April 1842, Whewell Papers.

statute, should take no part in this innovation. I, therefore, again, as in my last letter, refuse my consent to the proposed omission."<sup>1</sup>

Sir James Graham passed his correspondence with the Bishop to Whewell, with a request that the college should seriously consider the expediency of the proposed change; and, acting upon this hint, Whewell and the Seniors agreed not "to propose any change in the fortieth chapter", being desirous of making "the revision of the statutes, as far as possible, with the consent of all persons concerned".<sup>2</sup> They were perfectly justified in wishing to avoid friction, but they could have done so without abandoning their laudable purpose of removing a dangerous ambiguity. The revised Statutes of 1861, while reserving the right of the Bishop of Ely to hear appeals against the Master, contained a provision that "in the interpretation of these statutes, whenever the word 'Visitor' is employed, it shall be understood to mean the Crown as the General Visitor of the college", which completely removed all danger of a renewal of an ancient controversy.

The fortieth chapter also provided that a Master, convicted by the Bishop of Ely of certain heinous offences, should be deprived "*sine mora per eundem Vicemagistrum*"; and, since the publication of Monk's *Life of Bentley*, it had been generally believed that *Vicemagistrum* was a copyist's mistake, and that the framers of the statutes had intended that the Master should be deprived "*per eundem Visitatorem*".

"It is highly probable", wrote Monk in his famous biography, "that the mention of the Vice-Master in this part of the statute of deprivation was nothing more than a clerical error, and that instead of '*per eundem Vicemagistrum*', the framers of the statutes had designed to enact, '*per eundem Visitatorem officio Magistri privetur*'; but that the clerk who transcribed the fair copy from the original draught, either had his eye caught by the word *Vicemagistrum* in the former paragraph, or was deceived by the similarity of the abbreviated form of the words, and thence wrote *Vicem* as it stands in the authentic copy."<sup>3</sup>

<sup>1</sup> Bishop of Ely to Sir James Graham, 3 February 1843, Home Office Papers, O.S. 9199. Previous letters from the Bishop on the same subject, and the opinion of the law officers of the Crown on the draft statutes, are in the same bundle of Home Office Papers.

<sup>2</sup> Whewell's Journal, 9, 16 February 1843, Whewell Papers; Home Office Papers, O.S. 9199.

<sup>3</sup> J. H. Monk, *Life of Bentley* (1833), vol. II, pp. 351-352.

As Whewell and the Seniors were certainly familiar with this passage, it seems at first sight strange that when revising the statutes they did not substitute *Visitatorem* for *Vicemagistrum* in this clause.

They probably would have done so if it had not been for Francis Martin, who was then Senior Bursar. Martin held the opinion that the painful duty of depriving the Master ought to be discharged by the Vice-Master, "who takes the principal part in the admission of the Master";<sup>1</sup> and, what was more, believed Monk's theory to be wrong.

"It will be a matter of surprise", he wrote some years later, "to learn that the words stand clearly, *per eundem Vicemagistrum* (the usual mode of writing the word) in the authentic copy, viz. that which has the signature of Queen Elizabeth, and to which the Great Seal is attached. . . . It will naturally be asked how could such an accurate and excellent person as Bishop Monk make such statements as these? Only one answer can be given, namely that he had never seen the authentic copy of the statutes, but must have made use of some inferior copy of them. I am glad to be able to prove this. For in the year 1843, when the matter was carefully looked into on revising our statutes, the substance of the preceding remarks was communicated to the Bishop, who expressed much surprise at a statement so greatly at variance with the impression left on his own mind, and when he visited Cambridge in July 1846, he accompanied me to the college muniment room to examine the authentic copy of the statutes. Immediately on seeing the Book of statutes before I opened it, he said, 'I never saw that book; it must have been some other copy, which I imagined to be the authentic one, to which I referred'."<sup>2</sup>

The Master and Seniors were therefore not guilty of an oversight in leaving the passage as it stood.

The revised code was returned to Trinity, with the Great Seal attached, in February 1844; and it may be fairly taken as an example of what the colleges then understood by statutory reform.<sup>3</sup> None of the changes

<sup>1</sup> F. Martin, *Remarks on the following passage in Bishop Monk's Life of Dr Bentley* (p. 610, 4to edition; vol. II, p. 352, 8vo edition) relating to words occurring in the 40th chapter of the Statutes of Trinity College (November 1857).

<sup>2</sup> *Ibid.* Martin was not one of the Senior Fellows at this time, but he possibly may have acted as deputy for one of them.

<sup>3</sup> The Home Secretary only objected to the provision, taken over from the existing statutes but inadvertently omitted from the first draft of the revised statutes, which imposed a fine of one shilling for non-attendance at the celebration of Holy Communion in the college chapel; and the Seniority at once agreed to remove it. Home Office Papers, O.S. 9199; Diary of J. Romilly, 20 January 1844; Trinity College Conclusion Book, 19 January 1844.

made were of fundamental importance, and no regard had been paid to the more serious criticisms of the outside world, such as those directed against fellowships tenable for life if Holy Orders were taken. A few motes had been removed, but most of the beams had been left; and in the light of subsequent events it is easy enough to see that a great opportunity had been missed.

The University proceeded on the same lines but far more slowly. In 1838 the Heads of Houses appointed a committee, consisting of the Vice-Chancellor, Dr French, Dr Ainslie and Dr Graham, to revise the statutes of the University; and a body so constituted was unlikely to propose very radical changes. Dr Graham, indeed, as is indicated by his abortive attempt drastically to revise the statutes of Christ's, was in favour of radical academic reform; but he was the only member of the committee that was;<sup>1</sup> for Dr Ainslie, though learned in the history of the University, and desirous of bringing its statutes into conformity with its practice, was opposed to such innovations as would destroy the existing system;<sup>2</sup> and Dr French was inclined by temperament to regard even the repeal of habitually violated statutes as a dangerous and unnecessary experiment. It is not therefore, perhaps, surprising that the committee progressed in extremely leisurely fashion, and that even Whewell, when he was Vice-Chancellor during the academical year 1842-1843, failed to galvanise it into activity.

"Knowing", he wrote some years later, "that the preliminary measures of this revision were supposed to be going on by the labours of a committee of the Heads, of which the Vice-Chancellor was of course a member, I endeavoured to obtain meetings of this committee, with a view of promoting the progress of the measure. I succeeded in obtaining one such meeting, but failed entirely in procuring a second or in having any other step for this purpose taken."<sup>3</sup>

It was, indeed, not until the beginning of 1849 that the committee completed its not very arduous labours. It had done no more, according to Dr Graham, than "to consolidate the more important laws of the

<sup>1</sup> Some consternation was caused in reactionary circles by a rumour, current in April 1841, that Dr Graham, then Vice-Chancellor, "and others were disposed to go to the Crown to obtain a modification of the University statutes". *Memorials of the Life of G. E. Corrie*, edited by M. Holroyd (1890), p. 160.

<sup>2</sup> A. Attwater, *Pembroke College* (1936), pp. 113-115.

<sup>3</sup> This passage occurs in a rough draft among the Whewell Papers of a commentary, dated 26 May 1851, upon a report of the Statutes Revision Syndicate. See also in same collection, Vice-Chancellor's Book 1842-1843, 11 November 1842.

University into one code, which should present in a moderate compass and connected form the system as it is now in actual operation"; for, as he explained, its object had not been "to alter in any essential particulars the existing system, but to present it in a simpler and more intelligible form". "The measure", continued Dr Graham, "is not likely, I think, to create much opposition on the ground of its being an innovation. On the other hand it may not satisfy such persons as are desirous of introducing great changes into the system".<sup>1</sup>

It can hardly have satisfied Dr Graham himself, though he loyally abstained from expressing his discontent. No heed, for instance, had been taken of the advice tendered by George Peacock, who, in his admirable work, *Observations on the Statutes of the University of Cambridge*, published in 1841, had advocated that the Vice-Chancellor should be relieved of the management of the estates and finances of the University by the appointment of a University Bursar; that the division of the Senate into two Houses should be discontinued; that the ceremony of creation, which had become meaningless, should be abolished; and that a single member of the Caput should cease to be able to veto a Grace. In short, the revision had been on the most conservative lines; and this was the more serious as a Whig Ministry under Lord John Russell was now in office.

This lengthy survey of what Cambridge had been able to achieve in the way of internal reform since the beginning of the nineteenth century reveals the nature and difficulty of the task confronting Prince Albert when he accepted the Chancellorship. There had certainly been great progress during the previous fifty years: the Mathematical Tripos had been much improved, the Classical Tripos and the Voluntary Theological Examination had been established, and Professors were for the most part conscientiously performing their duties. But much remained to be done. The ease with which it was possible for all but the greatest dullards to obtain an ordinary degree, the omission to require candidates for admission to pass a University entrance examination, the very restricted range of subjects which undergraduates were encouraged to study, the inability of the Professors to attract hearers, and the medieval character of many of the statutes of the University and the colleges, were some of the evils which called out for remedy. But as many of them could not be cured unless the colleges were willing to sacrifice a measure of their influence and independence, the outlook was not promising.

<sup>1</sup> Dr Graham to Colonel Phipps, 29 January 1849, Royal Archives, Windsor Castle.

But in Prince Albert the University had gained a Chancellor who might succeed in saving it from itself and from the Government. He intended to take an active, though discreet, part in the administration of its affairs; and probably from the outset had a well-founded suspicion that, like many other English institutions, the University preferred its traditions to efficiency. But he realised the necessity of being tender to the prejudices of his academic subjects, for, though he might persuade, he could not command; and fortunately he agreed with the overwhelming majority of them in the opinion that the University should be given the opportunity of working out its own salvation before resort was had to the hazardous experiment of a Commission. For a difference on that question would have been fatal to his influence.

His great difficulty, however, at the outset was that he knew so very little about the University. But Whewell was very willing to instruct him; and the Master of Trinity, though a staunch supporter of the college system, was a sincere advocate of educational reform as he understood it. When Vice-Chancellor he had endeavoured to improve the attendance at professorial lectures;<sup>1</sup> and though convinced that mathematics and classics must remain the fundamental elements of a University education<sup>2</sup> he considered that as the Cambridge system of education was thought to be narrow, it might be well cautiously to encourage other branches of study. In a letter to his friend Hare, written in August 1845, he mentioned that as there were "tolerably plain indications that the old Universities are not to expect a continuance of the protection they have been accustomed to receive at the hands of Government", he was writing a little book on Cambridge education;<sup>3</sup> and this little book, which was entitled *Of a Liberal Education*, appeared at the end of the same year. Having in mind the small attendance at the lectures of Professors, he suggested that candidates for the ordinary degree might be required to attend the lectures of some of the Professors, and advocated the establishment of a Tripos in those branches of natural science for which there were Professors in the University, in the hope of thereby encouraging both the study of natural science and the Professors. But as he was convinced that no education could be really liberal which did not cultivate through mathematics the faculty of

<sup>1</sup> See pp. 179-181.

<sup>2</sup> A fly-sheet by Whewell, 26 October 1848, University Papers, University Library, D.C. 5300.

<sup>3</sup> W. Whewell to J. C. Hare, 12 August 1845, Whewell Papers.

reason, he proposed that the Mathematical Tripos should be divided into two parts,<sup>1</sup> and that no one who had not passed the first of these parts could be a candidate for honours in the proposed Natural Sciences Tripos.<sup>2</sup> As Whewell was clearly more concerned to gather classes for Professors than to extend the range of undergraduate studies<sup>3</sup>, his fitness to be an instructor of the new Chancellor is questionable.

Such a doubt never, however, occurred to him, and he sent the Prince, a few days after his election, a paper of suggestions for extending academic studies.<sup>4</sup> Possibly because he had been disappointed by the reception of his recent book, he struck a distinctly pessimistic note. He rejected the idea of introducing new degree courses, partly on account of the opposition they would arouse, and partly on account of the difficulty of finding examiners for them. But he put forward a scheme for encouraging certain subjects, which were taught in the University though not included in any course for a degree, by the foundation of scholarships.

“Let certain extensive subjects”, he urged, “be selected, for example, jurisprudence (including natural law, international law and the like), and natural history (including botany, zoology, etc.), and let University scholarships be founded in these subjects, the value to be from £50 to £100 a year. . . . The examiners for the scholarship of jurisprudence may be the Professors of Civil Law, of Moral Philosophy and of Modern History, along with two persons appointed by the Senate of the University; the examiners for the scholarship of natural history may be the Professors of Anatomy, Botany, Mineralogy, Geology, with two persons appointed by the Senate.”

The defects of this scheme are obvious. As only the more able and industrious men were likely to compete for these emoluments, the attendance at professorial lectures would only be very slightly improved, and the mass of undergraduates would have no wider choice of studies than before. Moreover, even an able man would need great courage or self-confidence to devote much time to studies not included in his degree course, for what success could compensate him for failing to become a

<sup>1</sup> A few months later the Mathematical Tripos was divided into two parts: see p. 160.

<sup>2</sup> W. Whewell, *Of a Liberal Education* (1845), pp. 106-107, 206-207, 215-216, 223-226.

<sup>3</sup> “It is in fact an intellectual benefit to the candidate for classical honours to require of him a knowledge of the parts of mathematics to which we give our honours”, *ibid.* p. 214.

<sup>4</sup> 8 March 1847, Royal Archives, Windsor Castle.



high Wrangler or Senior Classic? The truth is that Whewell was seeking for a way of increasing the usefulness of Professors without increasing the number of degree courses, and it was a hopeless quest.

The Prince, however, was not to be hurried, and very properly wished to become better acquainted with the University before attempting to guide it along the path of reform. His appointment in April 1847 of Adam Sedgwick as his Secretary for University affairs has no significance, as the duties of a Chancellor's Secretary were few and unimportant.<sup>1</sup> In the following July the Prince accompanied the Queen on a visit to Cambridge for the Commencement, when he performed all the customary duties of a Chancellor on such an occasion, listening to an Installation Ode,<sup>2</sup> conferring degrees and visiting the colleges, and he may have taken the opportunity of discussing the affairs of the University with the then Vice-Chancellor, Dr Philpott, who from that time onward acted as his guide and adviser. He chose wisely. Henry Philpott, who had become Master of St Catharine's in 1845, has been described by a recent historian

<sup>1</sup> As it is commonly supposed that the Chancellor's Secretary played an important part as an adviser and counsellor, it may be well to quote Dr Graham's letter on the subject. "I think", he wrote on 5 April 1847, "that in the choice of their secretaries former Chancellors have been desirous of paying a compliment to their own college, and have selected some Fellow of it who, in respect of his character and position, was likely to do credit to the appointment. . . . If His Royal Highness, Prince Albert, should think to make such an appointment, the person, who may be selected for the honour, would, as a matter of course, confine himself (or might be expressly instructed to confine himself) to his peculiar province of local duty, and the communications (few in number) which he would have to make, would be . . . submitted to His Royal Highness. I am not myself aware that the communications of the secretary would extend necessarily to any other subject but the cases of mandate degrees." In a draft of a letter to Sedgwick, offering him the appointment, the Prince is said to have been informed "that the duties of the office are not sufficiently onerous to interfere with your other avocations, but that the tenure of it has been considered an academical distinction"—Royal Archives, Windsor Castle. There are very few letters from Sedgwick among the Prince's Cambridge papers.

<sup>2</sup> The Installation Ode was written by Wordsworth. Whewell asked Tennyson to compose one, but the poet found himself unequal to the task: "I have given a day", he wrote to Whewell on 5 March, "to the consideration of your proposal, and even commenced some abortive attempts at an Installation Ode, but the work does not seem to prosper in my hands, and, altogether, I have come to the conclusion that I am not the man to do it with effect. 'Household affection' to my own college and filial regard towards the University I have—more so perhaps that (*sic*) when I made one among you—neither am I without loyal touches towards Queens and Princes, but for all that, this ode is more than I dare pledge myself to accomplish. 'Sparta has many a worthier son than I', and I am sure you will find among yourselves many . . . who are far more capable than myself of doing justice to so grave a theme as the installation of a Prince Consort"—Whewell Papers.

of that college as a "fine scholar, an able administrator, and perhaps the greatest man St Catharine's has produced";<sup>1</sup> and no one who has read his correspondence with the Prince, which extended over many years, is likely to question the justice of this tribute. Philpott was a truly sagacious reformer, neither minimising defects nor the difficulty of removing them; and as, unlike Whewell, he was pleasant and genial, he was far better able than the Master of Trinity to disarm opposition and to lead men in the way he would have them go. He proved himself thoroughly worthy of the confidence of the Prince.

A few weeks after this visit to Cambridge, the Chancellor began to inquire into the condition of the University. On 14 October he requested Dr Philpott to provide him with a "comprehensive table, showing the scheme of tuition in the colleges...and the University for the ensuing year";<sup>2</sup> and when he received it, which was towards the end of October,<sup>3</sup> he submitted it to Sir Robert Peel, to whom he had previously sent Whewell's paper.

The table supplied by Dr Philpott set forth in detail the lectures given by the Professors, the various University examinations and prizes, and the lectures, prizes and examinations in the several colleges.<sup>4</sup> It gave the impression of great activity, and only few of the Professors did not appear as lecturing.<sup>5</sup> But Sir Robert Peel put his finger on the weak spot. In a letter to the Prince he pointed out that, as the attendance at many of these professorial lectures was voluntary, "it would be interesting to know to what extent the attendance really takes place.

<sup>1</sup> W. H. S. Jones, *A History of St Catharine's College* (1936), p. 190.

<sup>2</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. II, pp. 116-117.

<sup>3</sup> In a covering letter, dated 27 October 1847, the Vice-Chancellor explained to Colonel Phipps that "it was owing to absence from Cambridge of some of the Tutors of colleges that I was not able to obtain all the particulars until late last evening" Royal Archives, Windsor Castle.

<sup>4</sup> Royal Archives, Windsor Castle.

<sup>5</sup> It must, however, be borne in mind that the information in the table about Professors was based upon announcements of lecture courses which might not be given if there was no demand for them. Thus Peacock is mentioned as lecturing on either the construction and use of astronomical instruments or on geometry, but probably gave neither course. The Professors, who do not appear as lecturing, are Joshua King, Lucasian Professor of Mathematics, William Smyth, Regius Professor of Modern History, Thomas Walmisley, Professor of Music, Thomas Starkie, Downing Professor of Law and one of the two Professors of Arabic. Smyth, who had regularly lectured until 1845, was, however, over eighty; the Professor of Music received no stipend. Joshua King, who had held his chair since 1839, seems never to have lectured, and Starkie not to have done so after 1836.

Does not the devotion of time to other pursuits, in which great progress is requisite to ensure academical distinctions and advantages, discourage attention to those objects which are valuable only for themselves?" He was still more critical of Whewell's paper and opinions.

"I think", he wrote, "Dr Whewell is quite wrong in his position—that mathematical knowledge is entitled to *paramount* consideration because it is conversant with indisputable truths—that such departments of science as chemistry are not proper subjects of academical instruction, because there is controversy respecting important facts and principles and constant accession of information from new discoveries—and danger that students may lose their reverence for Professors when they discover that the Professors cannot maintain doctrines as indisputable as mathematical or arithmetical truths. The Doctor's assumption that *a century should pass* before new discoveries in science are admitted into the course of academical instruction, exceeds in absurdity anything which the bitterest enemy of University education would have imputed to its advocates. . . . If the principle, for which Dr Whewell contends, be a sound one, it will be difficult to deliver a lecture on theology. But the fact is that adherence to the principle, so far from exalting the character of Professors and Heads of Houses, would cover them with ridicule."<sup>1</sup>

This seed fell on fruitful soil, for the Prince was easily convinced that "the road to profit, honour and distinction being open only through the study of mathematics and classics, the offer of any lectures on other sciences will lead to no result, unless the system of examination be altered".<sup>2</sup> It seemed to him deplorable that there should be no instruction in geography, modern languages, the history of art, aesthetics and other subjects which educated opinion outside the University considered of importance. He therefore invited Dr Philpott, who had recently retired from the Vice-Chancellorship, to Windsor Castle in November 1847, and discussed the situation with him.<sup>3</sup> Dr Philpott was very sympathetic, but pointed out the many difficulties in the way of establishing examinations in various branches of learning, of which not the least was that most college Tutors could teach only mathematics and classics; and he seems to have convinced his host of the necessity of pro-

<sup>1</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. II, pp. 117-119.

<sup>2</sup> Prince Albert to Lord John Russell, 13 November 1847. *Ibid.* pp. 121-124.

<sup>3</sup> The Prince informed Lord John Russell on 13 November that Dr Philpott had been staying a few days at the Castle; and as the retiring Vice-Chancellor had to make a speech in the Senate House on 3 November, the visit was presumably after that date, and before 13 November. *Ibid.*

ceeding very carefully and slowly. He was clearly very fearful of the Chancellor acting rashly, for "the Heads of Colleges were such a nervous and essentially conservative body, that it required the greatest caution in proposing any improvement not to rouse an insurmountable opposition"; but he promised "to feel the pulse of the University" and report again.<sup>1</sup>

The Prince was well satisfied. "Dr Philpott", he wrote, "seems to know his brethren so well that I have great confidence in his proposed mode of working being in the end the most effectual, though appearing slow at first sight. He hopes to be able to do a great deal by very quiet canvass amongst the Heads of Houses, and means not to make any proposition in the Senate before he is sure of carrying it, and then to make only one at a time".<sup>2</sup> Moreover, shortly after Dr Philpott had left the Castle, the Prince informed him that he had had a brief conversation with Dr Phelps, the new Vice-Chancellor, who "appears to me to take entirely the same view upon the advantage and means of enlarging the usefulness of our University that you did"; and therefore a person to whom the secret of what was on foot might be entrusted.<sup>3</sup> But the Prince had cause to fear that he might have arrived too late upon the scene. In a letter of 12 November the Prime Minister informed him that, subject to his approval, he intended to advise the Crown to appoint a Commission of enquiry into the schools and colleges of royal foundation; and though the Prince succeeded in persuading him "to pause with the recommendation" until it was seen what Dr Philpott could do, it was disturbing to discover the whig wolf prowling round the academic door.<sup>4</sup>

Dr Philpott set to work immediately on his return to Cambridge. He got into touch with the new Vice-Chancellor, and reported on 23 November that Dr Phelps "is quite disposed to concur in any plan that may be proposed for making improvements in our course of studies, and would readily co-operate in recommending such a plan to the acceptance of the Heads of Colleges and the Senate".<sup>5</sup> Thus assured of

<sup>1</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. II, pp. 121-124.

<sup>2</sup> *Ibid.*

<sup>3</sup> Prince Albert to Dr Philpott, 14 November 1847, Royal Archives, Windsor Castle.

<sup>4</sup> Part of Lord John Russell's letter, which is among the Royal Archives at Windsor Castle, is given in Sir Theodore Martin's *Life of the Prince Consort*, but is misdated 12 December.

<sup>5</sup> Dr Philpott to Prince Albert, 23 November 1847, Royal Archives, Windsor Castle.

his assistance, Dr Philpott addressed at great length the Vice-Chancellor officially on 30 December.

He pointed out that the University was severely criticised for the neglect of professorial instruction, the very general use of private tutors and the narrow range of its studies; and that the last of these evils was to a great extent responsible for the other two. Professors, he argued, would not be patronised unless the subjects which they taught gave opportunities of gaining honour and distinction; and the abuse of private tuition could most effectively be met by opening out "in greater number different courses of studies", and encouraging "the pursuit of them by awarding honours and emoluments, so as to provide scope, according to the tastes and inclinations of different students, to the free and independent efforts of their minds". He accordingly suggested the appointment of a syndicate "to consider whether it be expedient to afford greater encouragement, by the institution of examinations for honours or otherwise, to the pursuit of those studies, for the cultivation of which professorships have been founded in the University".

In the same letter he outlined a plan of reform for the consideration of the syndicate. He proposed that the Plumian and Lowndean Professors and the Jacksonian Professor of Natural and Experimental Philosophy should take part in the annual examination for mathematical honours; and not merely in order to improve the attendance at their lectures. "Our examinations", he remarked, "have been left, perhaps, in late years too entirely in the hands of the younger members of the Senate. By introducing permanent examiners of greater experience to act with the Moderators and two examiners appointed by the Senate as at present, the examination might be expected to assume a more *settled* character, and to be more easily ordered so as to prevent the abuse of private tuition, in respect both of the kind of information asked for, and the way in which the questions are put". For similar reasons he advocated that the Regius Professor of Greek should always examine for the Classical Tripos; but his scheme of reform went much further than these modest innovations. He proposed the establishment of examinations for honours in modern history, English, law, natural sciences and oriental languages, for which all Bachelors of Arts of a certain standing, and not merely those who had taken mathematical honours, should be eligible.<sup>1</sup> He apparently believed that by allowing only Bachelors of

<sup>1</sup> Dr Philpott to Dr Phelps, 30 December 1847, Royal Archives, Windsor Castle.

Arts to be candidates for these examinations, he had not deposed mathematics and classics from their place of first importance, as a knowledge of those subjects was required for an ordinary degree;<sup>1</sup> but he had in fact dethroned mathematics, for an ordinary degree could be obtained with a very elementary knowledge of that subject; and, if his scheme was approved, it would be impossible to continue to require all candidates for the Classical Tripos to have gained mathematical honours.

Dr Philpott sent a copy of his letter to the Prince, who was delighted with it and instructed Colonel Phipps to reply that "the great object is to establish the fact that improvement in the system of study is desirable and practicable, and, by attempting at once too large a measure of reform, you would only excite so many fears and so much opposition as would probably prevent the subject from being entertained at all".<sup>2</sup> But the Prince knew enough of the University by this time to expect even a moderate measure of reform, as he judged this to be, to evoke considerable opposition; and he therefore suggested to Dr Philpott the advisability of confiding in Dr Graham and, possibly, Whewell, who would be useful allies in the event of a storm. As, however, the paper of suggestions he had received from Whewell was far less ambitious and more conservative than Dr Philpott's programme, he thought that Philpott ought to see it before communicating with Whewell.

"Having read this paper", wrote Colonel Phipps, "you will be able to judge whether it will be advisable to consult with the Master of Trinity upon the plan so ably detailed in the paper forwarded by you to the Prince. If perfectly agreeing with each other, the more persons conjoined in bringing forward such a proposal and advocating its adoption, the better; but if the original plan is weakened by partial and sectional objections, it would undoubtedly be prudent to confine its authorship within the narrowest possible limits."<sup>3</sup>

Philpott had anticipated the Prince, for he had already got into touch with Whewell;<sup>4</sup> and further communication confirmed his original impression that he could rely upon his assistance. He reported on 4 February 1848 that "upon full conversation with both the Master of Trinity and the Dean of Ely", he had discovered "that they differ from

<sup>1</sup> Dr Philpott to Colonel Phipps, 4 January 1848, *ibid.*

<sup>2</sup> Colonel Phipps to Dr Philpott, 5 January 1848, Royal Archives, Windsor Castle.

<sup>3</sup> *Ibid.*

<sup>4</sup> Dr Philpott to Colonel Phipps, 6 January 1848, Royal Archives, Windsor Castle.

me hardly at all in their views of the kind of improvement which it is desirable to introduce, and not much in their conception of the extent to which we may attempt to carry them at the present time".<sup>1</sup> Though he was too modest to say so, he was possibly recording a triumph of his diplomatic skill.

He was certainly the moving spirit in the enterprise, but he owed much to the Vice-Chancellor's assistance. For it was Dr Phelps who brought the matter before a meeting of the Heads on Tuesday, 1 February 1848, when it was agreed to ask the Senate to approve a Grace for the appointment of a syndicate with much the same terms of reference as those suggested by Dr Philpott in his letter, except, that it was not to be instructed to consider the advisability of instituting new honours examinations, though not precluded from doing so.<sup>2</sup> But the Vice-Chancellor, who by custom had the right of nominating the members of a syndicate, consulted Dr Philpott as to the persons it would be desirable to propose;<sup>3</sup> and the result of their deliberations was the choice of a strong team, which included the Vice-Chancellor, Philpott, Whewell, Graham, French, four Professors and seven other members of the Senate.<sup>4</sup> Philpott was quite satisfied: he reported that the syndicate consisted "of persons who have both the desire and the ability to devise

<sup>1</sup> Dr Philpott to Colonel Phipps, 4 February 1848, Royal Archives, Windsor Castle. Dr Philpott's letter of 30 December 1847 to the Vice-Chancellor was communicated by the Prince to Lord John Russell, and, at the latter's suggestion, to the Archbishop of York, Thomas Musgrave, who had been a Fellow of Trinity. Lord John's comments were slightly captious. He admitted that Philpott's proposals were "very judicious as a beginning", but did not think they went far enough. He expressed the opinion that few young men "will be found to go beyond the studies which are placed in the first rank, in which all the Tutors and Fellows are versed, and upon which a degree depends"; and contended that "those who are examined in classics should be required to show a competent knowledge of geography, modern history, and even modern languages, while those who seek for honours in mathematics should, besides astronomy and other branches of natural philosophy, be acquainted with the principles of the common law and elementary works of political economy". The Archbishop was far more practical. "The syndicate", he wrote, "should be carefully selected, and should consist of liberal and enlightened men, lovers of the University, and anxious for its reputation and extended usefulness. The trial is worth making: . . . much caution, however, must be used, and tenderness shown for the opinions or prejudices of men long accustomed to a state of things under which they have grown up and prospered." Lord John Russell to Prince Albert, 4 January 1848; Archbishop of York to Lord John Russell, 29 January 1848, Royal Archives, Windsor Castle.

<sup>2</sup> Dr Philpott to Colonel Phipps, 4 February 1848, Royal Archives, Windsor Castle.

<sup>3</sup> *Ibid.*

<sup>4</sup> Grace Book, University Registry.

improvements, and whose names, at the same time, will secure the confidence of the University".<sup>1</sup>

The Grace passed on 9 February at a very poorly attended meeting of the Senate, the votes in one House being thirteen to three, and in the other thirteen to four.<sup>2</sup> This appearance of indifference suggested to Dr Phelps that the enemy were waiting for the publication of the syndicate's report to unmask their batteries; and he began to wonder whether he had not too easily succumbed to the persuasive tongue of the Master of St Catharine's. "I am afraid", he informed the Prince, "we must anticipate very strong opposition to any important alterations. It shows, I think, clearly, that no very great change must be attempted at once."<sup>3</sup> Dr Philpott, on the other hand, remained confident that the Senate would agree to "large and substantial measures of improvement" but he, too, had his fear, being uncertain whether the syndicate would rise to the occasion.<sup>4</sup> And the Prince's fear was that the syndicate might not realise that time was not on its side. "While Parliament is sitting", he reminded the Vice-Chancellor, "and the enemies of the University may any moment take the initiative, there is *periculum in mora*".<sup>5</sup>

The syndicate met for the first time on 26 February; and the delay in starting was due to the caution of the Vice-Chancellor, who deemed it advisable, before preparing a scheme to submit to the syndicate, to obtain the views and opinions of all the Professors.<sup>6</sup> His trouble was repaid, for his scheme, which he laid before the syndicate at its first meeting, was well received,<sup>7</sup> and was, indeed, not very substantially different from the report of the syndicate which appeared in the following April. The recommendations of this report covered a very wide field. All candidates for an ordinary degree, and all candidates for a first degree in law who had not obtained a first class in the terminal examinations conducted by the Professor of Civil Law, were required to attend, for one term at least, the lectures of one or more of certain Pro-

<sup>1</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. II, p. 126.

<sup>2</sup> Dr Phelps to Prince Albert, 10 February 1848, Royal Archives, Windsor Castle.

<sup>3</sup> *Ibid.*

<sup>4</sup> Dr Philpott to Colonel Phipps, 15 February 1848, *ibid.*

<sup>5</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. II, pp. 126-127.

<sup>6</sup> Dr Phelps to Prince Albert, 18 February 1848, Royal Archives, Windsor Castle.

<sup>7</sup> Dr Phelps to Prince Albert, 26 February 1848, *ibid.* In this letter Dr Phelps gives a detailed account of the scheme he has proposed.



fessors,<sup>1</sup> and to obtain a certificate of having passed an examination to the satisfaction of one of the Professors whose lectures they had attended. There were to be two new honour examinations, one in natural sciences and the other in moral sciences; and for these all were to be eligible who, being of a certain standing, had qualified for admission to any first degree in arts, law or medicine. The examiners for the Moral Sciences Tripos, which was to include moral philosophy, political economy, modern history, general jurisprudence and the laws of England, were to be the Regius Professor of Law, the Professor of Moral Philosophy, the Regius Professor of Modern History, the Downing Professor of the Laws of England, the Professor of Political Economy, and one other examiner nominated by the Vice-Chancellor and approved by the Senate; and the examiners for the Natural Sciences Tripos, which was to include anatomy, comparative anatomy, physiology, chemistry, botany and geology, were to be the Regius Professor of Physic, the Professor of Chemistry, the Professor of Anatomy, the Professor of Botany, the Woodwardian Professor of Geology, and one other examiner appointed in the same way as for the Moral Sciences Tripos. Another recommendation was that "with a view to encourage attendance at the lectures of the Mathematical Professors, and to secure a correspondence between those lectures and the mathematical examinations of the University", the Lucasian Professor of Mathematics, the Plumian Professor of Astronomy, the Lowndean Professor of Geometry and Astronomy and the Jacksonian Professor of Natural and Experimental Philosophy, with the Moderators and examiners for the Mathematical Tripos, were to be constituted a Board of Mathematical Studies, which should consult together "from time to time on all matters relating to the actual state of mathematical studies and examinations in the University", and annually prepare a report for publication by the Vice-Chancellor. Lastly, the syndicate recommended that the candidates for the Voluntary Theological Examination should be required to have attended, during one term at least, the lectures delivered by two of the three Divinity Professors.<sup>2</sup>

Though this report differed in certain respects from that outlined by

<sup>1</sup> All the Divinity and Mathematical Professors, and the Professors of Greek, Hebrew, Arabic and Music, were omitted from the list; and candidates for a law degree were not to be permitted to count attendance at the lectures of either the Professor of Civil Law or the Downing Professor of the Laws of England.

<sup>2</sup> C. H. Cooper, *Annals*, vol. iv, pp. 702-705.

Dr Philpott in his letter of 30 December, both he and Prince Albert could claim to have had a share in begetting it. And so, indeed, could Whewell, who had advocated the establishment of a Natural Sciences Tripos and a Board of Mathematical Studies. They had, moreover, good reason to be proud parents. Though it may seem ridiculous to employ Professors to lecture to poll men, the report was, nevertheless, a notable achievement, breaking new ground and paving the way for a further advance. If the natural and moral sciences were elevated to the dignity of a Tripos, a similar promotion would inevitably be claimed for other branches of learning; and if pass men could be candidates for these two new Triposes, it would not be long before they could sit for the Classical Tripos. It was, moreover, exceedingly unlikely, if the report was approved, that mathematics would be for long the only subject which enjoyed the advantage of having a Board of Studies; and though it certainly would have been better if the candidates for the Voluntary Theological Examination had been required to attend the lectures of the Divinity Professors for longer than a single term, it was at least better that they should be required to receive some instruction than, as hitherto had been the case, none at all. But the best defence of the framers of the report is that they could not dictate but only recommend. "To those", wrote the Vice-Chancellor to Colonel Phipps on 10 April 1848, "who do not know intimately the constitution and feeling of our Universities, the measure, thus recommended, may seem too contracted. But I am quite sure it is as much as there is the slightest chance of passing the Senate."<sup>1</sup>

But the syndicate, tender though they had been to academic prejudices and passions, were not confident of a favourable reception of their report; and they therefore agreed not to submit it to the Senate until the following Michaelmas term, so as to allow time for calm reflection.<sup>2</sup> Also Dr Philpott, who had previously been so sanguine of success, was inclined to pessimism;<sup>3</sup> and had it not been for the firm stand taken by the Vice-Chancellor, even the publication of the report would have been delayed. Early in April Dr Phelps had heard from Colonel Phipps that a memorial, requesting the appointment of a Commission on the Universities, was in course of preparation; and this information, which

<sup>1</sup> Royal Archives, Windsor Castle. Dr French's name does not appear among the signatories of the report; but it would be hazardous to assume that he therefore disapproved of it.

<sup>2</sup> Dr Philpott to Colonel Phipps, 18 October 1848, Royal Archives, Windsor Castle.

<sup>3</sup> *Ibid.*

he did not keep to himself, supplied him with a strong argument against the contemplated postponement of publication. It was obviously advisable that politicians and the general public should know that the Cambridge Senate would in the near future be considering important reforms.<sup>1</sup>

The memorial, of which the Vice-Chancellor had been informed, is said to have been set on foot by James Heywood, who had been an undergraduate at Trinity, and Bonamy Price, then a master at Rugby School and, later, Professor of Political Economy at Oxford.<sup>2</sup> It was a very uncompromising document, declaring that the Universities had signally failed to advance learning, that it was vain to expect them to do so, as they were unable to make the necessary reforms, and that therefore the State should intervene and as a first step appoint a Commission of enquiry. It received in all two hundred and twenty-four signatures, of which one hundred and thirty-three were those of Cambridge men; but of this number Charles Eyres of Caius was the only resident Fellow of a college, and John Henslow the only Professor.<sup>3</sup> It, however, received impressive support, for among those who signed it were Charles and Erasmus Darwin, Thackeray, Matthew Arnold, Sir John Romilly, George Cornewall Lewis and the distinguished geologist, Sir Charles Lyell, who had a great contempt of the education given by the Universities. No action, however, followed the presentation of the memorial to the Prime Minister on 10 July; and this is not surprising. Sceptical though Lord John Russell was of the ability of the Universities to reform themselves, he was aware that Cambridge, with the blessing of its Chancellor, was seriously addressing itself to this task, and therefore had a legitimate claim to at least a brief spell of toleration.<sup>4</sup> Neverthe-

<sup>1</sup> Dr Phelps to Colonel Phipps, 5 April 1848, *ibid.* The syndicate's fear of being thought too revolutionary is indicated by the following passage in the preamble of the report. "The syndicate, admitting the superiority of the study of mathematics and classics over all others as a basis of general education, and acknowledging therefore the wisdom of adhering to our present system in its main features, are nevertheless of opinion", etc.

<sup>2</sup> See the notes written on the copy in the Cam Collection in the University Library.

<sup>3</sup> *Ibid.*

<sup>4</sup> It was partly this consideration which deterred Adam Sedgwick from signing the memorial. "A plan for a great academic change is now afloat at Cambridge," he wrote to Colonel Phipps on 31 May 1848, "I think it would not be grateful to petition till we know the result of the intended Graces. . . . Surely those who have moved in the business must have had the good sense and good feeling to communicate with the Prince. If they have not done so, they have made a most egregious blunder, to say the very least of it, at starting." Royal Archives, Windsor Castle.

less, the memorial served a useful though undesigned purpose. It was a timely warning to those members of the Senate, who were thinking of voting against the report, that the price of victory might be excessively high.

It was arranged that, as the various recommendations of the report did not stand or fall together, they should be separately presented to the Senate in five Graces on 31 October; and from the skirmish of pamphlets and fly-sheets, which preceded the main battle, it was clear that they would all be opposed, and particularly those for the establishment of a Natural Sciences and a Moral Sciences Tripos. F. Whaley Harper, who was a Classical Lecturer at Sidney and a former Fellow of St John's, published on 25 October a paper, in which he argued that the admission of candidates to the two new Triposes, "without requiring from them to have previously gained a mathematical honour, will certainly be followed by a like admission in the case of classical honours", much, as he thought, to the detriment of sound education. "I have experienced in myself", he declared, "the benefit of even the present minimum of requisition for mathematical honours, and I feel truly grateful for the salutary compulsion of the University which enforced it upon me."<sup>1</sup>

But, though the dominating fear was that undergraduates would be diverted from the serious pursuit of mathematics if by acquiring an ordinary degree they could indulge a bent for the natural or the moral sciences, other recommendations of the report did not escape criticism. Nor were all reformers satisfied; for some of them, with the impatience of their tribe, maintained that far greater and more drastic changes were needed,<sup>2</sup> and others, while admitting that the proposals were good in themselves, were of the pessimistic opinion that it was impossible to engraft them upon the existing system of University education.<sup>3</sup> There was some sound criticism, as, for instance, that of James Blunt, the Lady Margaret Professor of Divinity, who was very scornful of the idea that young men could be adequately prepared either for the Voluntary Theological Examination or the priesthood by attendance for one term at the lectures of two Divinity Professors;<sup>4</sup> but for the most part far less than justice was done to a praiseworthy attempt to devise a scheme of reform which would be acceptable both to the University and its critics.

<sup>1</sup> A fly-sheet by F. Whaley Harper.

<sup>2</sup> A. H. Wratislaw, *Further Remarks on the University System of Education* (1848).

<sup>3</sup> William Marsh, *Remarks on the University System of Education* (1848).

<sup>4</sup> J. J. Blunt, *Remarks on Regulation E* (1848).

The opponents of the report were not, however, left unanswered. Whewell published a fly-sheet, in which he sought to prove that there was no danger of undergraduates being lured away from mathematics and classics. He argued that as these subjects would continue to enjoy a monopoly of scholarships and prizes, the new examinations, suggested in the report, would not "draw the students from mathematical and classical studies, or interfere with the teaching on those subjects which at present go on in the colleges". Indeed, he was of the opinion that the number of candidates for the new Triposes would at first be rather too few than too many; and though he admitted the possibility of an increase when, as was likely, emoluments were founded for the encouragement of scientific and philosophical studies, he was convinced that even then mathematics and classics would hold their own. "In whatever degree", he wrote, "this may occur, the writer wishes to express the conviction that every trial made with the new subjects of examination will prove that though they may be valuable additions to the two present fundamental elements of a University education, they are by no means fitted to take a place as substitutes for either of those" (*sic*).<sup>1</sup> Time has not supplied the proof that Whewell expected of it.

Dr Philpott made a far more valuable contribution to the defence of the report by a pamphlet which he published about the middle of October.<sup>2</sup> Though, like Whewell and other members of the syndicate, he declared that the recommendations left untouched "in all essential features the character of the present system of the University", he had a higher purpose than to foster the belief that all would be as before. He urged the importance of encouraging undergraduates who had no aptitude for mathematics or classics, to have a nobler ambition than an ordinary degree; and uttered the solemn warning that the University could not with impunity continue to make no provision for studies which had come to be recognised as part of a liberal education. "The demand", he urged, "has been loudly expressed that the means of instruction in such studies should be found for the youth of this country, with its proper helps and encouragements and inducements to exertion; and if such modes and means of teaching are not to be found in the ancient Universities, if the attention of our undergraduates is in fact diverted from such studies by giving the entire strength of our encouragement

<sup>1</sup> Whewell's fly-sheet is dated 26 October 1848.

<sup>2</sup> Dr Philpott, *Remarks on the question of adopting the Regulations recommended by the Syndicate appointed 9 February 1848* (October 1848).

to a limited sphere of other departments of knowledge, the consequence is to be expected that those who are in search of such branches of education will have recourse to other seats of learning, while the credit of our degrees sinks in general repute, and the University loses the firm hold and influence which she has long retained upon the general education of the country". But he had little hope that his advice would be taken. He had become still more pessimistic, and on the eve of the battle was almost without hope. He reported on 29 October to Colonel Phipps that "there are many of the older members of the Senate who are firmly attached to the existing order of things, and will vote against any proposal for alteration, and, what surprises me not a little, there is a large body of the younger Masters of Arts who oppose the introduction of new subjects of study more determinedly than the older men".<sup>1</sup>

The excitement was great; and so many non-residents came to vote that Romilly, the Registrar, could not remember ever having seen, except when there was a contested election, the Senate House so crowded as it was on 31 October.<sup>2</sup> All the Graces were passed by quite substantial majorities<sup>3</sup> to the surprise of both the victors and the vanquished; and it was probably the non-resident vote which determined the issue. The Press waxed lyrical over this triumph of reason, acclaiming it as an event of national importance. "Many hundreds of young men", wrote *The Times*, "taken from the highest families in the three kingdoms, will every year have cause to bless the change which opens a career to their praiseworthy desire for immediate distinction, and fits them for a more important sphere of action in after life." And honour was given where honour was due. "The nation owes a debt of gratitude to the Prince Consort, the Chancellor of the University, for having been the first to suggest, and the most determined to carry out, the alterations in the Cambridge system."<sup>4</sup> And no one was more pleased than the Prince. On 1 November he entered in his diary, "my plan for a reform of the studies at Cambridge is carried by a large majority".<sup>5</sup>

He knew, however, that Lord John Russell was waiting to pounce, being still not convinced that the University might be safely left to reform itself. Therefore, when the Prince heard in January 1849 that the

<sup>1</sup> Dr Philpott to Colonel Phipps, 29 October 1848, Royal Archives, Windsor Castle.

<sup>2</sup> Diary of J. Romilly, 31 October 1848. Guizot was among the spectators of the scene, *ibid.*

<sup>3</sup> C. H. Cooper, *Annals*, vol. IV, p. 706.

<sup>4</sup> Sir Theodore Martin, *Life of the Prince Consort* (5th edition), vol. II, pp. 128-130.

<sup>5</sup> *Ibid.* p. 114.

committee, appointed in 1838 to revise the statutes of the University, had codified the more important of those statutes, and that, if the Heads of Houses approved, a syndicate would probably be appointed to examine this code and report upon it to the Senate,<sup>1</sup> he must have wondered whether this meant much or very little. The committee, instead of revising the statutes, had merely presented them in a simpler and more intelligible form; but it was possible that the suggested syndicate, if wisely constituted and given wide forms of reference, might accomplish what the Heads had most signally failed to do. But this was only a hope.

Therefore the situation had not ceased to be critical, and, unfortunately, little is known of what went on behind the scenes on this occasion. The deliberations of the Heads, when the handiwork of their committee was submitted to them, are concealed from us; but it may not be rash to guess that some of them, as, for instance, Philpott, were sorry that so little had been done, and argued that a syndicate with a fairly free hand ought to be appointed. Certainly the Grace, of which the Vice-Chancellor gave notice early in February 1849, gave the reformers ground for hope. It provided for the appointment of a syndicate "to revise the statutes of the University, and to present them to the Senate in their revised form before the division of the Michaelmas term 1849";<sup>2</sup> and although it can be argued that, as the syndicate was asked to report at such an early date, it could not possibly have been expected to do more than slightly to amend the draft code, it was clearly permitted by its terms of reference to propose any statutory change which it deemed desirable, and, if cause was shown, no difficulty was at all likely to be made about prolonging its existence. Moreover, Professor Haviland, A. H. Wratishaw of Christ's and Dr Lamb, Master of Corpus, who were all reformers, were to be members of the syndicate; and although the more conservative element in the University was adequately represented, it can hardly have been intended that the syndicate should do no more than formally approve the work of the committee of the Heads. It is significant that some reactionaries were alarmed; and shortly after the Grace had been announced, an agitation against it began, led by Professor Corrie and F. Whaley Harper. As three Regius Professors, the Registrar, the two Proctors, and several Heads of Houses were nominated to serve on the syndicate, the cry was raised that too many

<sup>1</sup> Dr Graham to Colonel Phipps, 29 January 1849, Royal Archives, Windsor Castle.

<sup>2</sup> Grace Paper, 10 February 1849, University Papers, University Library, A.C. 206.

of the syndics were "public creatures",<sup>1</sup> although probably the greatest rock of offence was Dr Lamb, whose advocacy of the cause of the Dissenters had never been forgiven him. The Vice-Chancellor, who was Dr Cookson, Master of Peterhouse, being a timid man,<sup>2</sup> was frightened by the storm and withdrew the Grace;<sup>3</sup> but, a little later, he substituted another for it, which was announced for submission to the Senate on 7 March.

But the second Grace was not very different from the first. Dr Lamb, the Junior Proctor and one other person disappeared from the syndicate, and five new members were nominated; but there is nothing to suggest a surrender to the reactionaries.<sup>4</sup> Moreover, the terms of reference were unchanged, and the syndicate was not required to report before the end of the Lent term 1850. Yet though the second Grace differed little from the first, it passed the Senate unopposed, which supports the theory that it was mainly against Dr Lamb that the agitation had been directed.

A victory had been won. The Revising Syndicate, as it came to be called, was to sit for many years and completely to recast the statutes of the University; and to this work it seems to have addressed itself from the outset. But there were difficulties in the way. Whewell, who was on the syndicate, reports that some of its members would have preferred to leave the statutes substantially unchanged, but consented "to sacrifice much of their own opinions to the hope of satisfying, as far as could safely be done, the prevalent desires for changes";<sup>5</sup> and, consequently, there was much discussion, and progress was slow. The syndicate met for the first time on Wednesday, 14 March, and was soon meeting regularly twice or thrice a week, with an extremely efficient secretary, William Bateson of St John's;<sup>6</sup> but it did not issue its first report until December 1851.

But though, according to Whewell, there were "prevalent desires for changes", those desires often found it difficult, and sometimes

<sup>1</sup> Diary of J. Romilly, 13 February 1849.

<sup>2</sup> "To the Senate House at 20 minutes before nine to hear Cookson's speech on his resignation; he was so much afraid of having an audience that he began at 8.30 punctually, read only a part of his speech, and it was all over in about a minute, before myself or any of the Heads were present"—Diary of J. Romilly, 3 November 1849.

<sup>3</sup> *Ibid.* 13 February 1849.

<sup>4</sup> The five new members were William Bateson of St John's, J. J. Blunt, Lady Margaret Professor, Francis Martin, Senior Bursar of Trinity, W. H. Thompson, Tutor of Trinity, and James Atlay, Tutor of St John's.

<sup>5</sup> W. Whewell, *Of a Liberal Education*, Part III (1852), p. 3; see also p. 2.

<sup>6</sup> Diary of J. Romilly, 10 November 1849.



impossible, to obtain satisfaction. The approval by the Senate in March 1849 of certain recommendations for the improvement of the Previous examination cannot be cited as an example of the strength of the party of progress, as there was general agreement that the examination was a most inadequate test of either intelligence or industry, and by accepting the recommendations there was no danger of making it so difficult as seriously to impede the progress of candidates for mathematical honours.<sup>1</sup> But it was a very different story when an agitation began for the exemption of candidates for the Classical Tripos from the obligation of passing the Mathematical Tripos.

As the claim to such exemption had been very much strengthened by allowing recipients of the ordinary degree to take the Natural and Moral Sciences Triposes, it was impossible entirely to disregard it; and therefore a syndicate was appointed on 25 April 1849 "to consider whether any and what alterations may be made in the regulations for the classical examination after admission ad respondendum quæstioni".<sup>2</sup> To this syndicate the Vice-Chancellor, the Masters of Trinity, Jesus, St Catharine's and Christ's, the Regius Professors of Divinity and Greek, the Public Orator and seven other members of the Senate were appointed; and apparently it might have been better composed. Several months later Dr Philpott stated that "the members of the syndicate had been selected without any pains taken to ascertain beforehand their opinions respecting the abolition of the restriction, and there was in consequence much difference of opinion among us when the subject was discussed".<sup>3</sup>

Whewell seems to have been the leader of the opposition. He regarded the Classical Tripos as not much more than an exercise in linguistic skill, and therefore thought it educationally unsound to allow undergraduates to take it, without having had the opportunity of developing the faculty of reason through the discipline of mathematics. As many English Public Schools still gave mainly a classical education and paid little attention to mathematics, Whewell's attitude was not entirely due to conservative prejudice; and he was encouraged in it by a letter he received from Lord Lyttelton, who expressed his great regret that the Classical Tripos made no demand for "any scientific and well grounded

<sup>1</sup> W. Whewell, *Of a Liberal Education*, Part II (1850), pp. 107-111.

<sup>2</sup> Grace Paper, 23 April 1849, University Papers, University Library, A.C. 206.

<sup>3</sup> Dr Philpott to Colonel Grey, 2 November 1849, Royal Archives, Windsor Castle.

knowledge". As Lyttelton had been bracketed Senior Classic, he was able to criticise effectively.

"What was required," he wrote, "and of course what was produced, was not knowledge but skill. At best it was a sort of empirical knowledge, wholly confined to the languages of Greek and Latin. No scientific knowledge of ancient history, philosophy, antiquities or philology was of the least importance. If a few questions appeared on such matters, they were wholly overbalanced and made insignificant by the preponderance of *skill* in writing the three languages<sup>1</sup> in all possible combinations."<sup>2</sup>

Through Whewell had supporters on the syndicate, he was in a minority, for the greater number of the members were in agreement with Dr Philpott, who held that "classical honours ought to be made free and open to all students who have been admitted to the ordinary degree of Bachelor of Arts".<sup>3</sup> There were probably some sharp passages of arms, as the Master of Trinity was a fierce fighter; but the majority seems to have been reasonably conciliatory and prepared to make sacrifices for the sake of an agreed report. But the obstacles in the way of a compromise were certainly great. The introduction of many new subjects into the Tripos, with a view of making it more philosophical and less an exercise in skill, was likely to be regarded with disfavour by the colleges as increasing their burden of instruction; and yet, unless the examination was very much strengthened in this direction, some of the minority were unwilling to abandon their demand for the retention of the mathematical qualification. The report of the syndicate, which was issued on 30 May 1849, did not fundamentally change the character of the examination, as it only added a paper on ancient history; but as it also recommended that all persons should be eligible to sit for the examination who in the preceding January had either gained mathematical honours, or obtained a first class in the ordinary degree examination, or, having sat for the first part of the Mathematical Tripos, had qualified for an ordinary degree, it failed to satisfy several members of the syndicate.<sup>4</sup> Three Heads of Houses, including Whewell, and the Regius Professors of Divinity and Greek, did not sign the report.

<sup>1</sup> The third language was English.

<sup>2</sup> Lyttelton's letter is quoted in Whewell's *Of a Liberal Education*, Part II, pp. 25-28; but his name is not given. The original is among the Whewell Papers.

<sup>3</sup> Dr Philpott to Colonel Grey, 2 November 1849, Royal Archives, Windsor Castle.

<sup>4</sup> See p. 160. The report is to be found in the Appendix to Part II of Whewell's *Of a Liberal Education*, pp. 111-114; but the date of its passage through the Senate is given wrongly there.

As two or three of these dissidents made no secret of their objections, and voted against the report when it was brought before the Senate on 31 October 1849,<sup>1</sup> it is not surprising that there was considerable opposition in both Houses.<sup>2</sup> But the report was passed, for both reason and expediency were on its side: even Whewell privately admitted that it was "a natural sequel to the new Triposes",<sup>3</sup> and that its rejection would create an unfavourable impression outside the University. But the victors were not satisfied. Dr Philpott expressed the opinion "that in a year or two the competition for classical honours ought to be made free and open to all students who have been admitted to the ordinary degree".<sup>4</sup>

There were, moreover, reforms which even an enlightened man like Dr Philpott was unwilling to accept, as J. J. Smith of Caius discovered when in 1847 he decided to raise the question of a University entrance examination. Believing that he could count upon the support of several members of the Senate in this enterprise, Smith approached Dr Philpott, who was then Vice-Chancellor, but he was not at all sympathetically received: Philpott disapproved of the project, and was also of the opinion that Smith very much exaggerated the support he was likely to obtain.<sup>5</sup> Dr Phelps, on becoming Vice-Chancellor in the following November, was also approached by Smith, but gave no more satisfaction than his predecessor, as he held the same views and was aware that most of the other Heads of Houses were in agreement with him.<sup>6</sup> A serious obstacle was thereby placed in the way of a desirable educational reform; for though it was permissible for any member of the Senate to propose a Grace, it was commonly, though not invariably, left to the Vice-Chancellor to do so;<sup>7</sup> and, consequently, a private member's Grace, unless the circumstances were quite exceptional, was apt to receive scant consideration. But, as two Vice-Chancellors had declined to assist him, Smith decided to bring forward a Grace for the appointment of a

<sup>1</sup> Dr Cookson to Colonel Phipps, 31 October 1849, Royal Archives, Windsor Castle.

<sup>2</sup> The votes were 43 to 31 in the non-Regent House and 38 to 26 in the Regent House—*Ibid.* Diary of J. Romilly, 31 October 1849.

<sup>3</sup> Whewell to Lord Lyttelton, 20 November 1849, Whewell Papers.

<sup>4</sup> Dr Philpott to Colonel Grey, 2 November 1849, Royal Archives, Windsor Castle.

<sup>5</sup> The evidence given before the Royal Commission shows that there was a respectable body of opinion in the University in favour of an entrance examination, but Smith, doubtless, exaggerated its strength.

<sup>6</sup> J. J. Smith, *A Letter to the Vice-Chancellor* (1847).

<sup>7</sup> Fly-sheet, 1 February 1849, issued by J. J. Smith; University Papers, University Library, E.R. 51.

syndicate to consider the expediency of instituting an examination for all students, except those of King's College, previous to residence; but he still found difficulties in his way. It was customary to place on every syndicate a few Heads, in addition to the Vice-Chancellor who always presided; but not one of the many Heads he asked would serve, generally pleading that they were obliged to decline, as the Vice-Chancellor "was known to be adverse to the proposition".<sup>1</sup> He, nevertheless, succeeded in forming a respectable syndicate, and doubtless hoped that, when he submitted his Grace to the Senate on 8 December 1847, he would enjoy a triumph over those in high places who had endeavoured to thwart his purpose.<sup>2</sup> He was well aware that there would be opposition. In a letter, which Whewell warmly approved and Philpott on mature reflection thought unanswerable,<sup>3</sup> Francis Martin of Trinity, who was a very reasonable, fair-minded man, asserted that the University would suffer by the institution of an entrance examination. He predicted that "great jealousy between the Tutors of the different colleges and the examiners would probably arise at the rejection of students, of whom the Tutors, from private information or personal knowledge, may have had reason to think well", and that many deserving young men, intending to take Holy Orders and likely to be diligent in their studies, would almost certainly be rejected if, as might often be the case, they had been unable on account of their financial circumstances to obtain a good education. "It is this class of men", he said, "who would, I fear, be more likely to fail at an entrance examination than those who come from our public and private schools with very little information and knowledge, though sufficient to pass, and who frequently turn out much less satisfactorily at the final examination for the B.A. degree than the others."<sup>4</sup>

If men like Philpott and Martin were blinded by prejudice and fear for college liberties, it seems improbable that very many members of the Senate were more broad-minded; but the Grace was never put to

<sup>1</sup> J. J. Smith, *A Letter to the Vice-Chancellor* (1847).

<sup>2</sup> The syndicate nominated in the Grace consisted of the Vice-Chancellor, who sat on every syndicate, and seventeen other members, amongst whom were the Regius Professors of Greek, Civil Law and Physic, and Professor Corrie. University Papers, University Library, A.C. 206.

<sup>3</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 182. Martin's letter is to be found in the Appendix to Part II of Whewell's *Of a Liberal Education*.

<sup>4</sup> Smith published a reply to Martin, entitled *Reply to some reasons against the expediency of instituting a Public Examination of Students, previous to their residence in the University*, 6 December 1847.

the vote, being vetoed in the Caput.<sup>1</sup> There was absolutely no excuse for this despotic action, for even if the rumour was true that objection was taken in the Caput to a syndicate upon which no Heads of Houses except the Vice-Chancellor had a place, it was most unjust to make Smith suffer for this deficiency. He was rightly indignant. Yet when he asked the Vice-Chancellor to inform him why the Caput had acted in this arbitrary fashion, he was only told that "it cannot be expected that the Vice-Chancellor should give an account of the reasons which have influenced the Caput in rejecting a Grace".<sup>2</sup> But there is no reason to think that he had victory snatched from his grasp; for when in February 1849 he brought forward a second Grace with the same object, it was defeated in the Non-Regent House by twenty-nine to eleven votes.<sup>3</sup>

Such incidents as this and the failure completely to remove the mathematical fetters from the Classical Tripos, suggest that perhaps the University was not quite so capable of self-reform as it thought itself to be. It had certainly made a great advance since Prince Albert had become Chancellor; but could it proceed further and completely cast off those many ancient prejudices and customs which were so gravely detrimental to its educational efficiency? Lord John Russell continued to think it unlikely. As he had not been educated at either University, he did not see them through a softening mist of happy youthful memories but in the cold light of reason; and this was not the medium best fitted to set off their charms. He did not believe them to be either corrupt or effete, and was prepared to admit that they had recently made a great effort to adapt themselves to modern educational needs; but he was convinced that as the colleges were impeded by their statutes, and inclined to think more of their own interests than of the welfare of the University, progress could only be slow and uncertain. He was strengthened in this opinion by two very loyal sons of Cambridge and former Fellows of Trinity, the Archbishop of York and Macaulay, who

<sup>1</sup> C. H. Cooper, *Annals*, vol. iv, pp. 697-698.

<sup>2</sup> J. J. Smith, *A Letter to the Vice-Chancellor* (1847).

<sup>3</sup> C. H. Cooper, *Annals*, vol. iv, p. 707. The month, however, was February, not January as stated by Cooper: see Diary of J. Romilly, 14 February 1849. Smith on this occasion submitted two Graces, one for the appointment of a syndicate to consider a revision of the Previous Examination, and another for referring the question of an Entrance Examination to the same syndicate. Some Heads of Houses had consented to be nominated for this syndicate, probably in the confident and correct anticipation that the second Grace would not pass the Senate.

assured him "that the present state of the law would prevent the laws, made, or making, from having their full effect, as the colleges are bound by their statutes . . . to certain restrictions, and, in fact, to a narrow circle of attainments".<sup>1</sup>

But the lion in his path was the Prince. When in November 1847 he had proposed the appointment of a Commission to inquire into the schools and colleges of royal foundation, the Prince had pleaded for delay; and, if a similar suggestion was now advanced, that plea would be repeated. And as to seek the Prince's advice and then not accept it might create an awkward situation, Lord John Russell decided practically to ignore him.

Fortune gave him a good opportunity of executing his design. He received notice that James Heywood intended to propose in the House of Commons on Tuesday, 23 April 1850, an address to the Crown, "praying that Her Majesty will be graciously pleased to issue her Royal Commission of enquiry into the state of the Universities and Colleges of Oxford, Cambridge and Dublin"; and on Saturday, 20 April, the question of the attitude that the Government should adopt was discussed in the Cabinet. The ministers agreed that it would not be desirable to support Heywood's motion, which went into great detail and specified certain reforms as particularly necessary;<sup>2</sup> but they approved the proposal that Lord John should take this opportunity to inform the House of Commons of his intention to advise the Crown to appoint a Royal Commission on the Universities.<sup>3</sup>

But for obvious reasons the Prime Minister delayed to communicate

<sup>1</sup> Lord John Russell to the Queen, 24 April 1850, Royal Archives, Windsor Castle.

<sup>2</sup> The second paragraph of Heywood's motion ran as follows: "That in the ancient English and Irish Universities, and the colleges connected with them, the interests of religious and useful learning have not advanced to an extent commensurate with the great resources and high position of those bodies; that collegiate statutes of the fifteenth century occasionally prohibit the local authorities from introducing any alterations into voluminous codes, of which a large portion are now obsolete; that better laws are needed to regulate the ceremony of matriculation and the granting of degrees, to diminish the exclusiveness of the University Libraries, to provide for a fairer distribution of the rewards of scientific and literary merit, to extend the permission of marriage to Tutors of colleges, and to facilitate the registration of electors in the Universities; that additional checks might be considered with reference to the continued extravagance of individual students, and that the mode of tenure of college property ought to be ameliorated, particularly in Ireland." The Government naturally did not wish to tie themselves down to any particular reforms.

<sup>3</sup> Lord John Russell to Prince Albert, 23 April 1850, Royal Archives, Windsor Castle.

this plan to Buckingham Palace. It was not until the morning of 23 April that he wrote to the Prince, briefly describing what had passed in the Cabinet on the previous Saturday, and stating his intention "to say to-night that the Queen will be advised to issue a Royal Commission to enquire what improvements can be made in our Universities, and how far such improvements will require the interposition of the Crown or of Parliament".<sup>1</sup> Even if the Prince received this letter before Lord John had spoken in the House of Commons, it was too late for him to plead for time; but his reply, which was written on the same day, indicates that he would have made such a request, if warned earlier.

"Your letter has quite taken me by surprise", he wrote. "The step, which you mean to take, is a very important one, of which one can hardly measure the extent at present. I can form no opinion on the expediency of it, not being aware of the reasons which led to the decision of the Cabinet; there will, undoubtedly, be raised the enmity of strong and vested interests and further ferment in the Church."<sup>2</sup>

He was probably angry, and the Queen certainly was.

"Lord John Russell, in his strange way," she recorded in her diary on the following day, "has suddenly consented to an enquiry as to the state of the Universities, and made rather a decided declaration as to necessary improvements. No-one feels more strongly than we do that improvements are necessary, and no-one has given and does give himself more trouble than my beloved Albert; therefore not to consult him or tell him about it, until the very morning when the debate is coming on, is wrong and imprudent on Lord John's part."<sup>3</sup>

The royal vexation was fully justified, for the Prime Minister had acted meanly. He was of course under no constitutional or moral obligation to give the Prince timely notice of the step which the Government had decided to take, and doubtless convinced himself that he could not do so without also informing the Duke of Wellington, who was Chancellor of the University of Oxford; but, assuredly, neither then nor later would any one have blamed him if he had taken the Prince's peculiarly delicate situation so far into account as to accord him preferential treatment. The husband of the Queen could not conduct a crusade against the

<sup>1</sup> Lord John Russell to Prince Albert, 23 April 1850, Royal Archives, Windsor Castle.

<sup>2</sup> Prince Albert to Lord John Russell, 23 April 1850, Royal Archives, Windsor Castle.

<sup>3</sup> Diary of Queen Victoria, 24 April 1850, *ibid.*

Queen's Government, even though by not doing so he ran the risk of being thought by his Cambridge friends to have deserted or even betrayed them; and he therefore could reasonably expect to be given an opportunity of offering advice before the Government was too deeply committed to draw back.

The debate in the House of Commons on Tuesday, 23 April, was not particularly interesting until Lord John raised it to the level of high drama. Oft trodden ground was traversed—the grievances of Dissenters, the idleness of the Fellows, the extravagance of the undergraduates and the restricted range of the education were, as so often before, declared to be irremediable except by the State; and again the Universities were proclaimed by their defenders to be faithfully discharging their trust of educating the youth of England in the Anglican faith, and to be both able and willing to reform themselves. Probably the House was listless, being excusably bored by this recitation of set pieces; but, when Lord John rose to speak, it became attentive and excited, realising that it was about to learn the intentions of the Government. The Prime Minister began by saying that he could not support Heywood's motion, which to his mind was far too like an indictment, and that he did not think that the "question, important as it is, of the admission of Dissenters to the Universities should be considered together with any improvement in the plan of education". But any hopes which these preliminary remarks may have raised in the Tory ranks were quickly dashed, for he proceeded to announce his intention of advising the Crown to appoint a Commission of enquiry into the educational system of the Universities and the distribution of their revenues. He declared that, though both Oxford and Cambridge had recently made many improvements, neither University had achieved, nor could possibly achieve unaided, that co-operation in instruction between the colleges and the University, without which many of the recent reforms would be ineffective. He disclaimed all hostility to the Universities, and professed only to desire to promote their welfare and efficiency.

"It is my intention therefore", he said, "not to vote for the motion introduced by the hon. gentleman, the member for Lancashire, which I hope he will not press upon the House; but it is certainly our intention to advise the Crown to issue a Royal Commission to inquire into the state of the two Universities of Oxford and Cambridge. I am glad no such Commission was issued some eight or ten years ago, because, seeing the state in which the studies of the Universities were, seeing how inadequate they were to the then



state of knowledge, there would have been some appearance of hostility in issuing a Commission of inquiry at that time; but, at present, if persons are appointed who have belonged to those Universities, who have themselves been educated at them, and who maintain regard and reverence for these seats of education, and if the inquiries they are directed to make are made in a friendly spirit, I own I can see nothing but advantage from such inquiries."

Heywood, who was of course delighted by the Prime Minister's speech, very readily withdrew his motion; but the Tories, completely taken by surprise, were very wrathful; and some of them, catching at a straw, questioned the legality of the Prime Minister's design. At the wish of the opposition the debate was adjourned, but not before the Attorney General had rebutted the accusation of illegality. He pointed out that if it had been intended to appoint a Commission with power to compel the attendance of witnesses, to insist upon the production of documents and to revise statutes, an Act of Parliament would have been necessary; but the Commission which the Government had in mind was "not to make regulations or enforce opinions, but to collect information from parties willing to afford it, with a view of inducing the legislature to found upon that information, if necessary, a future Act of Parliament, and such a Commission could be appointed by the Crown without the sanction of Parliament".<sup>1</sup>

This unmistakable hint that a Statutory Commission with coercive powers might follow in due course was not likely to allay fears; and when on the following day Lord John informed the Queen that he had made a profound sensation and angered the Tories, he was not exaggerating.<sup>2</sup> The opposition Press freely imputed to him the darkest and most sinister designs. The *Standard* accused him of setting up what it described as a "fishing Commission—a Commission to wheedle the members of the Universities out of so much evidence, and to invite as many lying slanders as may be sufficient to justify a tyrant majority of the House of Commons in crushing the Universities";<sup>3</sup> and though the *Morning Post*<sup>4</sup> professed to believe that Lord John Russell's bark was worse than his bite, it asserted that he was establishing, without sufficient justification, a very dangerous precedent, and hinted that he might be harbouring designs which he did not dare to avow. Also *The Times*,<sup>5</sup>

<sup>1</sup> *Hansard*, 3rd Series, vol. cx, pp. 691-765.

<sup>2</sup> Lord John Russell to the Queen, 24 April 1850, Royal Archives, Windsor Castle.

<sup>3</sup> *Standard*, 29 April 1850.

<sup>4</sup> *Morning Post*, 29 April 1850.

<sup>5</sup> *The Times*, 24 April 1850.

while admitting that the Universities needed to be reformed and seemed incapable of reforming themselves, darkly remarked that "as to any ulterior designs the Ministers may entertain, England has such regard for its ancient and independent Universities, that it would hardly endure to see them swamped in the deluge of Ministerial influence".

But agitation was not confined to the newspapers. The Queen noted in her diary on 24 April that "the ferment and excitement produced . . . are very great", and that Dr Cartmell, the Cambridge Vice-Chancellor, who had been received that day by the Prince, had reported that "the proposals had produced a most unfortunate effect, and would cause hatred and dissensions in the Universities, *preventing all* the improvements which were already going on very well".<sup>1</sup> And the Duke of Wellington was furious. He bitterly accused Lord John of ungentlemanly conduct,<sup>2</sup> and in the course of a speech in the House of Lords ominously remarked that the colleges of the University over which he presided were bound to respect and maintain their statutes, and that he most sincerely hoped they would not be placed in the very painful situation of having to choose between their "duty of obedience to Her Majesty's commands and the duty and respect which they owe to the execution of the law".<sup>3</sup>

Lord John, however, was undismayed, for his political memories went back a long way, and he had not forgotten a far greater storm, thirty years before, when he had played a leading part in the reform of Parliament. On 3 May he sent to the Prince a draft of a letter which he proposed to send to both Chancellors for publication to their Universities.<sup>4</sup> Beginning with the untrue statement that the Queen had been "graciously pleased to sanction the appointment of a Commission to enquire into the state and revenues of the Universities of Oxford and Cambridge", it proceeded to explain the views of the Ministers in

<sup>1</sup> The Diary of Queen Victoria, 24 April 1850. "This is the way", added the Queen, "in which, I am sorry to say, the present Government seem always to spoil everything." On 29 April she noted "the ferment about the Universities is quite dreadful".

<sup>2</sup> *Ibid.* 29 April 1850.

<sup>3</sup> *Hansard*, 3rd Series, vol. cx, pp. 1373-1374. On the same occasion the Duke said that though the University of Oxford intended to effect every desirable improvement, it did not intend to introduce German methods of education. The reference to the prominent part played by the Prince in the recent reforms at Cambridge was as obvious as it was discourteous.

<sup>4</sup> This draft, and a covering letter, dated 3 May 1850, are in the Royal Archives, Windsor Castle.

recommending this course of action. They had no intention of interfering with the reforms which had been carried out at both Universities, but hoped to facilitate their progress by bringing the "aid of the Crown and, if necessary, of Parliament to assist in their completion . . . by obtaining a knowledge of the obstacles which are interposed by the wills of founders, the retention of customs and the decisions of competent authority, to the full development of that large and improved system of study which the Universities have sought to establish". Then followed a reference to the precedent of the Ecclesiastical Commission, appointed in the reign of William IV, whose "enquiry, conducted in a friendly spirit, led to the enactment of several Acts, adopted with little dissension by both Houses of Parliament and sanctioned by the Crown".

Lord John, in a covering letter, invited the Prince to amend this draft, and he accordingly did so. He suggested that it would be well "not to say that the Queen has sanctioned your recommendation, which as yet is not the case", and that the reference to the Ecclesiastical Commission should also go, as likely to cause alarm. But he pressed a far more fundamental change than either of these. As the ill-will and vexation provoked by the appointment of a Royal Commission might have the unfortunate consequence of retarding academic reform, he entreated Lord John to conclude his letter

with a statement similar to this: That should you find that the Universities were themselves able and willing to collect and lay that information before the Crown, which it required to come to a deliberate judgement upon the question how far its assistance, or that of Parliament, might be required to carry fully out those reforms which had become necessary, such a course would be even more agreeable to the Government, as securing a more cordial and harmonious co-operation between the Crown and the constituted authorities of the Universities in a course of equal importance to them both.<sup>1</sup>

If Lord John had taken the Prince into his confidence before making his speech in the House on 23 April, he might possibly have accepted the suggestion that the Universities should themselves conduct the enquiry, but, having taken the plunge, he could not do so, though he agreed to all other amendments which the Prince proposed. "I must

<sup>1</sup> An undated draft of this letter is in the Royal Archives, Windsor Castle. With reference to the sentence he suggested for insertion in the Prime Minister's letter, the Prince mentioned that "Sir Robert Peel, Sir Charles Lyell and Mr Hallam (all anxious for the reforms) are of the same opinion".

say", he replied, "that I think my whole influence in the House of Commons would be destroyed if the Commission were not to issue. As the Reform Bill was to the borough proprietors, and the repeal of the corn laws to the landlords, so is a Commission on the Universities to those who are in the enjoyment of. . . fellowships."<sup>1</sup> Yet, in spite of this ungenerous estimate of a class about which he knew very little, he had no desire to be unnecessarily provocative; and to the revised draft of the letter, after the Prince had seen it, he added two sentences, congratulating the Universities upon their recent reforms, and assuring them that the utmost care would be taken to appoint Commissioners entitled to "confidence and respect by their character and position".<sup>2</sup>

But fine words and reassuring promises could not allay the alarm of the Universities, who saw the heavens falling. The Vice-Chancellor calculated that a mere handful of Cambridge residents, possibly not more than ten or so, welcomed the appointment of a Commission;<sup>3</sup> and though this may be an under-estimate, it is certain that there was an overwhelming hostile majority, alarmed for the freedom and independence of the colleges and fearful of spoliation. There was much absurd talk, and some of the more violent spirits found comfort in the reflection that James II had lost his crown by oppressing the Universities and the English Church; but there was also organised opposition. Early in May two addresses were presented to the Vice-Chancellor. One of these, to which only five signatures were appended, asserted that as there were no abuses to justify interference with the endowments of the University, the Government must have an ulterior object, and that changes in the system of instruction could only safely be made "by the resident members of the University, who are practically acquainted with the

<sup>1</sup> Lord John Russell to Prince Albert, 3 May 1850, Royal Archives, Windsor Castle. On 5 May the Prince called upon Lord John, who was confined to the house by a bad cold, and possibly the letter to the two Chancellors was again discussed by them. Diary of Queen Victoria, 15 May 1850.

<sup>2</sup> C. H. Cooper, *Annals*, vol. v, pp. 11-12. These two sentences do not appear in the draft which Lord John sent to the Prince.

<sup>3</sup> Joseph Romilly and Charles Eyres of Caius were in favour of a Commission; but the latter, who was a bitter partisan, grossly misrepresented the situation when he informed the Prime Minister that hostility was "confined to the Heads of Houses and a very small number of the members of the Senate". Whewell asserted that not more than five resident graduates welcomed the Commission, and the Vice-Chancellor gave the number as ten. Diary of J. Romilly, 4 May 1850; Mrs Stair Douglas, *Life of Whewell* (1881), p. 380; C. Eyres to Lord John Russell, 4 May 1850, Royal Archives, Windsor Castle; Dr Cartmell (Vice-Chancellor) to Prince Albert, 9 May 1850, *ibid.*

work of education".<sup>1</sup> The other address, which was very numerously signed, declared that "any attempt to compel the colleges to appoint teachers or to reward proficiently by external agency, would be an interference with their internal freedom of a kind utterly unheard of, except in the worst times", and that the University ought to be given time to continue the work of reform which it had so happily begun; and it ended with an appeal to the Vice-Chancellor to "take such steps as the emergency may appear to require; and to consider especially whether it may not be proper to represent to his Royal Highness, our Chancellor, the interference with our freedom, rights, statutes, possessions and usages, which appears to be threatened".<sup>2</sup> One hundred and fifty of the two hundred and twenty-one members of the Senate in residence signed this address, including fourteen Heads of Houses, twelve Professors, and "many Liberal members, with whom", wrote Adam Sedgwick, "I have long been in the habit of acting".<sup>3</sup> Though Sedgwick did not add his own signature, he did not wholly disapprove of the address; for though he had long believed a Commission to be both inevitable and desirable, he thought that the Prime Minister had acted precipitately, and ought to have waited a year or two longer, so that "Parliament might have seen what the University had done spontaneously".<sup>4</sup> But among the signatories was Sir James Stephen, which is significant, for, having only recently returned to Cambridge as Regius Professor of Modern History, he was not infected by academic prejudices; and his reasons for signing, which he set out in a letter to Lord John, support the belief that the opposition to the policy of the Government was not solely inspired by panic and passion.

"I have not signed the address", he wrote, "as expressive of my opinion that it is either needless or improper that an enquiry should be instituted into

<sup>1</sup> The Vice-Chancellor sent a copy of the address to the Prince, with a covering letter dated 9 May 1850. The five signatories were F. W. Collinson, Edward Brumell, Churchill Babington, all being Fellows of St John's, W. B. Hopkins, Fellow of St Catharine's, and Professor Jarrett.

<sup>2</sup> C. H. Cooper, *Annals*, vol. v, pp. 12-15.

<sup>3</sup> Adam Sedgwick to Lord John Russell, 1 June 1850, Royal Archives, Windsor Castle; Dr Cartmell to Prince Albert, 9 May 1850, *ibid.* In his letter to the Prime Minister of 4 May, Eyres stated that "the memorial has not been very successful, though unusual means were resorted to, to obtain signatures"; but if he was referring to the more widely signed of the two addresses, he was certainly untruthful in saying that it had not been successful.

<sup>4</sup> J. W. Clark and T. McKenny Hughes, *Life of Adam Sedgwick* (1890), vol. II, pp. 173-176.

the state and management of the University. Neither do I mean to deny that in the conduct of such an enquiry persons disconnected from all our local interests and prejudices should participate. Nor is it my purpose to dissent from the conclusion that the Government of this country, or persons chosen by them, are indispensable members of any such inquests. On the contrary, I subscribe to each of these positions. I have signed the address in question as a mode of recording my judgment that all these ends might be effectually accomplished without a Royal Commission, and my further judgment that they cannot be either effectually, or properly, or indeed at all, accomplished by such a Commission. By your Lordship's kindness I was enabled in October last to resume my gown and my residence here after an interval of just thirty-six years. During that interval I find that the character and spirit of the place are entirely changed. What Cambridge was in my early days I need not describe. At present every man in authority and in credit here is emulating his neighbours in efforts to bring the University into accordance with the wants, and into harmony with the spirit, of our age. Whatever may be their faults, our rulers are certainly not chargeable with languor or remissness as reformers. On the contrary, I entertain serious doubts whether their zeal for reform is not too ardent, and whether they are not moving with undue rapidity."

Sir James then went on to explain that a Royal Commission would discredit the authorities in the eyes of the undergraduates, and justify the taunt that the academic reformers had betrayed the independence of the University. He was, indeed, almost in complete agreement with Prince Albert, being of the opinion that if the University had been invited to appoint a Commission of enquiry, and "to give places in it to nominees of your Lordship, I do not believe (though of course I cannot know) that they would have refused".<sup>1</sup>

Thus hatred of the Commission was a bond between many reactionaries and reformers; and the Vice-Chancellor feared an explosion of wrath which might fatally compromise the University. He informed the Prince that he had "used all his influence to prevent any strong expression of feeling on the part of the Senate, . . . thinking that he should thus best consult your Royal Highness's wishes and the well being of the University"; and that therefore he had not as yet communicated to the Senate Lord John Russell's letter which the Prince had sent him. "At present the Senate", he explained, "are resting in the hope that the address and private representations made by the Vice-Chancellor to

<sup>1</sup> A copy of this letter, dated 6 May 1850, is in the Royal Archives, Windsor Castle.

your Royal Highness will succeed in inducing Her Majesty's Ministers to reconsider their recommendation."<sup>1</sup> He had, however, shown the letter to the Heads of Houses, upon whom it had made a very unfavourable impression, and he did not expect that the Senate would receive it any better.<sup>2</sup>

But, possibly at the Prince's suggestion, Lord John's letter was read to the Senate on 20 May;<sup>3</sup> and, as the Vice-Chancellor had predicted, it increased the indignation. And there was a real danger of the Chancellor sharing in Lord John's unpopularity unless he publicly dissociated himself from him.

"There seems", wrote the Vice-Chancellor on 25 May, "to be an earnest desire growing in the Senate to learn your Royal Highness' opinion as Head of the University on the subject of the Commission. The Vice-Chancellor humbly suggests for your Royal Highness' consideration whether it would be possible to communicate through any authorised channel some expression of your Royal Highness' opinion or sympathy. The Vice-Chancellor has stated, according to your Royal Highness' desire, that your Royal Highness did not know of the intention of Her Majesty's Ministers in sufficient time before Lord John Russell's speech to be able to communicate with the University or to express any opinion on the proposed course. This seemed to give the most lively pleasure and satisfaction. As, however, the Duke of Wellington has identified himself with the authorities at Oxford, and has allowed it to be understood that he shares in their feelings, something of the same kind appears to be desired here."<sup>4</sup>

It was a hard request, for, as the Prince confided to the Duke of Wellington, "it was exceedingly difficult to frame an answer which should at the same time show that the measure was not approved by me, and not to create difficulties for the Government or to pledge the Queen to a particular policy".<sup>5</sup> Yet he felt that it was a task which he could not conscientiously evade, for more was at stake than his reputation in the University. It did not seem at all unlikely that most of the Heads and Fellows might passively resist the Commissioners by refusing to

<sup>1</sup> Dr Cartmell to Prince Albert, 16 May 1850, Royal Archives, Windsor Castle.

<sup>2</sup> Dr Cartmell to Prince Albert, 15 May 1850, *ibid.* Cartmell's letter, wrongly dated 14 May, is reproduced, with slight verbal differences, in C. H. Cooper's *Annals*, vol. v, pp. 15-17.

<sup>3</sup> Grace Book, 20 May 1850, University Registry.

<sup>4</sup> Dr Cartmell to Prince Albert, 25 May 1850, Royal Archives, Windsor Castle.

<sup>5</sup> Prince Albert to the Duke of Wellington, 29 May 1850, *ibid.*

supply them with information, utterly foolish though it would be to allow the enemies of the University to bear witness against it unchecked;<sup>1</sup> and it was partly in order to prevent the adoption of such a suicidal policy that the Prince undertook to offer advice which, very possibly, might be resented. In a letter to the Vice-Chancellor, dated 27 May and intended for publication, he made perfectly clear that he regretted the decision of the Cabinet to recommend the appointment of a Commission, and was in complete sympathy with the fears and indignation which that decision had called forth. He pointed out, however, that no threats or protests could be of any avail, as the Ministers could not possibly go back on their word; and that therefore the University would do well to submit gracefully to the inevitable, and assist the Commissioners to perform their task. By refusing to supply information, they would play into the hands of their enemies, and therefore in their own interest they should "take a pride in showing to those who have indulged in attacks against them, that they have conscientiously and zealously fulfilled the great task entrusted to them".<sup>2</sup>

Lord John was delighted with this letter, and thought it would do much good;<sup>3</sup> but the Vice-Chancellor was not so confident of its efficacy as a sedative. For some days he kept it to himself, and it was only after further correspondence, and possibly an interview with the Prince, that he submitted it to the Heads of Houses, and on 4 June to the Senate.<sup>4</sup> His very guarded account of its reception suggests that it caused disappointment, and, undoubtedly the University would have preferred a trumpet call to battle,<sup>5</sup> but, as time went on, and it became increasingly clear from the debates in Parliament that Lord John was not to be diverted from his purpose,<sup>6</sup> the Prince's wise advice gained in force.

<sup>1</sup> "I conjecture", remarked Sir James Stephen in his letter of 6 May to Lord John Russell, "...that on these grounds there will be an almost unanimous passive resistance here to the Crown."

<sup>2</sup> Prince Albert to the Vice-Chancellor, 27 May 1850, Royal Archives, Windsor Castle. See also C. H. Cooper, *Annals*, vol. v, pp. 17-18.

<sup>3</sup> Lord John Russell to Prince Albert, 29 May 1850, Royal Archives, Windsor Castle.

<sup>4</sup> The Vice-Chancellor to Prince Albert, 31 May, 3 June, 17 June 1850, *ibid.*; Grace Book, 4 June 1850, University Registry. In his letter of 3 May Dr Cartmell asked for an audience with the Prince, but there is no evidence that the request was granted.

<sup>5</sup> The Vice-Chancellor to Prince Albert, 3 and 17 June 1850, Royal Archives, Windsor Castle.

<sup>6</sup> *Hansard*, 3rd Series, vol. CXI, pp. 457-458, 488-491, 1146-1158; vol. CXII, pp. 1145-1525.



Possibly, if left to itself the University would have come to his opinion, but it was well that it should be directed into the right path.

Fear was probably also allayed by the announcement in September 1850 that Dr Graham, who had recently become Bishop of Chester, George Peacock, Sir John Romilly, Adam Sedgwick and Sir John Herschel had been appointed Commissioners; for they were all Cambridge men, and three of them had resided for many years in the University. Lord John had certainly fulfilled his pledge of choosing persons who would inspire confidence and respect; for though Sedgwick and Peacock might recommend more drastic reforms than many were willing to accept, no one doubted their loyalty to the University.

Sedgwick had only very reluctantly and after great hesitation consented to be on the Commission, though aware that the Prince, whose good opinion he valued, wished him to serve.<sup>1</sup> Whewell had warned him that as Vice-Master of Trinity he might find himself as a Commissioner torn by conflicting loyalties;<sup>2</sup> and his own fear was that as there was so much opposition to the Commission, "I should not be able to live in peace and friendship with my brother fellows and Professors".<sup>3</sup> But the possibility of incurring an even more severe punishment than the rupture of old friendships also gave him pause. The Woodwardian Professorship, which he held, was not tenable under the will of its founder with any office or preferment requiring "attendance out of the University"; and in 1834 he had accepted the offer of a Canonry of Norwich, having been assured by the then Master of Trinity Hall, whom he consulted, that, though he would be breaking the letter of Woodward's will, he would not be acting against its spirit. He had hitherto not been called to account for this violation of one of the conditions on which he held his chair; but he feared that if he became a Commissioner and thereby incurred unpopularity, some angry member of the Senate "would call on the Vice-Chancellor to do his duty by introducing a Grace to compel me to fulfil the condition of Dr Woodward's will".<sup>4</sup> He might well be uneasy: the Canonry was

<sup>1</sup> J. W. Clark and T. McKenny Hughes, *Life of Adam Sedgwick* (1890), vol. II, p. 176.

<sup>2</sup> Diary of J. Romilly, 12 June 1850.

<sup>3</sup> Adam Sedgwick to Lord John Russell, 1 June 1850, Royal Archives, Windsor Castle.

<sup>4</sup> J. W. Clark and T. McKenny Hughes, *Life of Adam Sedgwick* (1890), vol. II, p. 177. Sedgwick tells the story of his acceptance of the Norwich Canonry in his letter to Lord John Russell of 1 June 1850. "By Dr Woodward's will", he wrote, "I ought to hold no preferment with my professorship, but through the patronage of

valuable,<sup>1</sup> and, as he had never been slow to accuse others of disregarding statutory obligations, he did not relish the prospect of standing in the same condemnation. It was only when he was assured by the Vice-Chancellor and the Master of Trinity that his alarm was unfounded, that he consented to be named a Commissioner.<sup>2</sup>

Dr Cartmell must have had many anxious moments during his Vice-Chancellorship; and though, when he retired from office in November 1850, passion had somewhat subsided, there was much apprehension about the future. The mirror into which the University had long been looking, and which reflected such a pleasing picture of a venerable institution, proceeding at its own pace and unmolested by the State along the path of reform, had cracked from side to side; and those who had so long gazed upon this bewitching vision may be forgiven for thinking in the first shock of disillusionment that the curse had come upon them.

Lord Brougham, I obtained a stall at Norwich in 1834, and so became a pluralist. Before my installation at Norwich, I consulted Mr Le Blanc (the V.C.) and placed the whole *case* before him. His opinion was returned almost in the following words. 'The letter of the will seems to be against you, but you will be able to satisfy the spirit of the will and the demands of the University, as your stall only requires a few months annual residence. You have established a popular course of lectures, and by the labour of your hands you have placed a noble collection in our museum, and made it academic property. Accept therefore the stall by all means, for it is three or four times the value of your professorship. And as you owe your academic chair to the Senate, the Senate *only* can deprive you of it. The worst coming to the worst, should any member of the Senate move the question, you can then resign your professorship or resign your stall, as you think best. By all means therefore accept the stall now offered you.'" Royal Archives, Windsor Castle. Sedgwick, in describing Le Blanc as Vice-Chancellor and thereby suggesting that he had sought advice in the highest quarter, was guilty of a serious error. Le Blanc, who was Master of Trinity Hall, was Vice-Chancellor during the academical year 1824-1825, but never again.

<sup>1</sup> Sedgwick estimated it as likely to be worth about six hundred pounds a year. J. W. Clark and T. McKenny Hughes, *Life of Adam Sedgwick* (1890), vol. i, p. 434.

<sup>2</sup> *Ibid.* vol. ii, p. 177.

## Chapter XI

### THE ROYAL COMMISSION

IN November 1849 Professor Corrie, having been for many years a Fellow and Tutor of St Catharine's, was promoted by his friend and former colleague, Dr Turton, Bishop of Ely, to the Mastership of Jesus;<sup>1</sup> and twelve months later, in accordance with the established system of rotation, he succeeded Dr Cartmell as Vice-Chancellor. It was unfortunate that he entered upon this office when the Royal Commissioners were beginning their labours, as he was an extreme Tory in academic and national politics, and the last ditch was his spiritual home.

"He is", wrote Adam Sedgwick, "a thoroughly conscientious man and book-learned in his own way; and I am told that he is both respected and loved by the circle of his personal friends. But he is physically reserved, timid and shy, bearing this character in his person and manner. Over and above, he is on many points singularly narrow-minded, and on all points he is, I believe, as obstinate as a mule; so that no power on earth would turn him when he thinks himself right, and, like other honest men of narrow views, he, perhaps, never believes himself to be in the wrong."<sup>2</sup>

No one, indeed, could have been less fitted to cope with the crisis confronting him, particularly as he was strongly prejudiced against the Chancellor. He never sought his advice, rarely communicated with him, and even went so far as to announce his intention of declining his hospitality.

"Hitherto," he wrote to a brother of the Prince's private secretary, "His Royal Highness has been good enough to invite the Vice-Chancellors, one after another, to dinner, and in this has manifested much kind feeling; but no Chancellor in times past ever thought such an invitation necessary, and no Vice-Chancellor ever expected it. In the meantime the Senate at large are jealous of their Vice-Chancellor being thus made an appendage to the Court, and the Royal Commission, lately issued, has not made the Court popular among us. Now it will be doing good service to our University to have the

<sup>1</sup> The Bishop of Ely appointed to the Mastership of Jesus.

<sup>2</sup> Adam Sedgwick to Colonel Grey, 19 January 1851, Royal Archives, Windsor Castle.

dinner custom broken through, and I therefore undertake to be the first to *decline the invitation*... The object I have therefore in view is to have it represented to our Prince Chancellor that I would rather not that any invitation should be given."<sup>1</sup>

But his dislike of the Chancellor and of the Court was less than his hatred of the Commissioners whom he treated as hostile invaders. On 2 December he informed the Heads of Houses, whom he had summoned to attend him, that he had decided not to answer two questionnaires about the finances and degree courses of the University, which the Commissioners had sent him early in November;<sup>2</sup> and, either immediately before or after this meeting, he despatched a note to the Commissioners, which was little short of a declaration of war. "After having ascertained from high legal authority", he wrote, "that the University Commission is without the form of law, and is, moreover, regarded as unconstitutional, and of a kind that was never issued except in the worst times, I feel obliged by a sense of public duty to decline answering any of the questions which I had the honour to receive from you a short time ago."<sup>3</sup> He also refused, as Master of Jesus, to supply any information about his college.

The Master of Clare, Dr Webb, was equally recalcitrant, but the other Heads were more reasonable and agreed to answer such questions as they and their Fellows considered could be answered without violating statutory obligations. But some of them kissed the rod with a very bad grace. Thus the Master of Caius, Dr Chapman, who was a very strong Tory, replied that as the statutes of his college, which he had sworn to obey,

strongly enjoin the Master and Fellows not to suffer any interference with our foundations and regulations by any authority whatever unasked; and as I am informed that some of our most learned lawyers are of opinion that this Commission is "not constitutional or legal, and that it is not such as the

<sup>1</sup> G. Corrie to Rev. Augustus Phipps, 5 November 1850, Royal Archives, Windsor Castle. Augustus Phipps passed on this letter to his brother and, possibly, it was shown to the Prince.

<sup>2</sup> Adam Sedgwick to Colonel Grey, 19 January 1851, *ibid.* Diary of J. Romilly, 2 December 1850.

<sup>3</sup> *University Commission Report (1852)*, Correspondence and Evidence, p. 2. Dr Ainslie, Master of Pembroke, who strongly disapproved of Corrie's attitude, supplied the information about the degree courses, and Richard Okes, Provost of King's, on succeeding Corrie as Vice-Chancellor answered the Commissioners' questions about the University finances.

University or its members are bound to obey", I feel great reluctance to answer any of the questions which have been sent to me by the University Commissioners; but, as Her Majesty has been advised to issue the Commission, as a loyal subject of Her Majesty I return the following answers to the questions, dated December 20th 1850, out of an unfeigned respect to the Crown, under a strong and earnest protest against the exercise of such a power.<sup>1</sup>

Whewell used equally minatory language. Though he expressed himself willing to give the Commissioners "every assistance in my power, which is consistent with my duty to the college and to the University", he registered a protest against a phrase in the Queen's Letters Patent, which authorised the Commissioners to call for and examine papers, and declared that, by answering the questions of the Commissioners, he did not intend to acknowledge that they had any such authority.<sup>2</sup> The Professors, however, were rather less prickly, though the Regius Professor of Divinity carefully explained that he could only give such information as was consistent with the oaths he had taken,<sup>3</sup> and the Regius Professor of Greek refused to allow his evidence to be published.<sup>4</sup> But on the whole the Commissioners had a far better reception than at one time seemed likely: there had been time for tempers to cool, and for heroics to go out of fashion.

Before the Commissioners reported to the Crown in August 1852, certain reforms had either been made or proposed which affected the character of that report, and therefore must be noticed. King's had voluntarily surrendered the right of its Scholars to proceed to the degree of Bachelor of Arts without undergoing an examination or any other intellectual test,<sup>5</sup> and the Revising Syndicate<sup>6</sup> had published two reports which covered a wide field and contained many important recommendations.

The action of King's was not, despite appearances, a death-bed repentance, for in 1840 some of the Fellows had petitioned the Visitor to institute proceedings for the abolition of the peculiar privilege which its Scholars enjoyed.<sup>7</sup> The request was most reasonable. Research had conclusively proved that the privilege was not derived from the compact,

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 325.

<sup>2</sup> *Ibid.* pp. 6-7.

<sup>3</sup> *Ibid.* p. 9.

<sup>4</sup> *Ibid.* p. 92.

<sup>5</sup> As all Scholars of King's were automatically elected into fellowships after having resided for three years, they were actually Fellows when admitted to the degree of Bachelor of Arts.

<sup>6</sup> See pp. 214-215.

<sup>7</sup> A. Austen Leigh, *King's College* (1899), p. 275.

styled the *Composition*, which had been made between the college and the University in 1456;<sup>1</sup> and that, as far as was known, there was no legal warrant for it. Moreover, though its effects had been less harmful than might have been anticipated, it was clearly an abuse and utterly alien to the spirit of the nineteenth century. And the reform, as most of the Fellows were in favour of it, would have probably been achieved some years earlier but for the determined opposition of Dr Thackeray, who had been Provost since 1814, and succeeded in keeping the reformers at bay until his death in 1850.<sup>2</sup>

His successor, Richard Okes, was, however, very much in favour of voluntarily surrendering a more than dubious right;<sup>3</sup> and on 1 May 1851 he and his Fellows, either unanimously or with only one dissident,<sup>4</sup> agreed to affix the college seal to a document which declared that

we, the Provost and Scholars of King's College aforesaid, having taken into our consideration the objections that naturally attach to any such diversity of discipline, and being at the same time desirous of establishing a more perfect system of equality and unity of interest with the said University, do . . . relinquish all right and title whatsoever to be exempt from the ordinary examinations of the University aforesaid, on the part of all such Scholars as shall be admitted into this our college after the date of these presents.<sup>5</sup>

Probably most persons living outside Cambridge, and knowing nothing of Dr Thackeray's prolonged opposition, assigned the wrong motives to this act, and therefore did not give Dr Okes and his Fellows the credit which was their due.

The Revising Syndicate, knowing that they were not of one mind on the question of statutory reform, wisely decided to postpone the evil day of dissension by starting upon those provisions in the statutes, about which disagreement was unlikely; and it was not until the winter of 1850-1851 that they began to discuss the reserved contentious

<sup>1</sup> In his *Observations on the Statutes of the University*, Peacock had shown that the *Composition* had granted no such privilege, and a precisely similar opinion is expressed in a document among the Cole Papers in the British Museum, Add. MS. 5852, f. 187.

<sup>2</sup> Dr Philpott to Colonel Grey, 4 May 1851, Royal Archives, Windsor Castle.

<sup>3</sup> A. Austen Leigh, *King's College* (1899), p. 274. On 18 February Romilly records that "Dr Okes is going to make the grand reform of sending the Kingsmen into the examination". Diary of J. Romilly.

<sup>4</sup> Dr Philpott believed that the decision had been unanimous, but Romilly asserts that one vote was given against it. *Ibid.* 3 May 1851.

<sup>5</sup> C. H. Cooper, *Annals*, vol. v, pp. 31-32.

points, which numbered sixty-four.<sup>1</sup> Yet for a time all went well. There were warm debates and close divisions; but all the members realised that an agreed report was out of the question unless they were prepared to concede something to their opponents; and Dr Philpott, who was on the syndicate, was able to report hopefully at the end of February 1851 that more than half of the sixty-four questions had been determined.<sup>2</sup> It was not until the Caput came under consideration that there was a violent clash of opinion.

The progressive party in the University had the strongest objection to the composition, the mode of election and the powers of the Caput. It consisted of the Vice-Chancellor, sitting *ex officio*, a doctor from each of the three faculties of divinity, law and medicine, a Regent Master of Arts and a Non-Regent Master; and was annually elected on 1 October by the Heads of Houses, the doctors and the two Scrutators. Yet, though the electors were few and for the most part of senior standing, they could not even choose freely, being only able to vote for persons who had been nominated either by the Vice-Chancellor or by one or other of the two Proctors. Custom still further respected their freedom, for it was the established practice only to vote for the candidates nominated by the Vice-Chancellor, and for the Doctor representing the divinity faculty to be always a Head of a House. Consequently the Caput was not representative of public opinion; and as any member of it could veto a Grace, it was one of the most formidable weapons in the armoury of the reactionaries. Romilly described it as "the most faulty part of our constitution".<sup>3</sup> But the syndicate fell into violent discord when they attempted to remodel it. They were unable to agree upon any scheme for enlarging it, though they agreed to recommend that, instead of the existing mode of election, the doctors of each faculty should nominate two doctors of their own faculty but of different colleges, that in rotation one college should nominate two Non-Regents, and another two Regents, and that from these nominees the Senate should elect a doctor in each faculty, a Non-Regent and a Regent. The syndicate were also in agreement that, as Graces were neither discussed nor normally explained in the Senate, it was imperative that the Caput should have a collective veto;<sup>4</sup> and there is reason to think that a proposal to deprive the elected members of the Caput of their individual right

<sup>1</sup> Dr Philpott to Colonel Grey, 25 February 1851, Royal Archives, Windsor Castle.

<sup>2</sup> *Ibid.*

<sup>3</sup> Diary of J. Romilly, 9 December 1851.

<sup>4</sup> W. Whewell, *Of a Liberal Education*, Part III (1852), p. 62.

of veto might have been carried if coupled with a provision that the Vice-Chancellor should cease to have an absolute veto; but only on that condition, for it was felt that if the Vice-Chancellor alone had an absolute veto, he would be far too powerful.<sup>1</sup> But, unfortunately for the peace and concord of the proceedings, Whewell and some other members of the syndicate were convinced that the Vice-Chancellor must retain his absolute right of veto, thinking that it would be fatal to his prestige and dignity to compel him to "bring before the University any project, however crude and mischievous, and to preside at the discussion of it in syndicate".<sup>2</sup>

The struggle began on Saturday, 8 March 1851, when William Bateson proposed that neither the Vice-Chancellor nor any other member of the Caput should have a veto.<sup>3</sup> This produced a warm discussion, which was continued at a meeting on the following Tuesday; and as Romilly, who was a member of the syndicate, reports that at the end of it the "obnoxious Caput was left *in statu quo*", it can be assumed that Bateson's proposal, if put to the vote, was rejected.<sup>4</sup> But it was a forerunner of many others. On Saturday, 3 May, Dr Ainslie, with the most conciliatory intentions, proposed that the Vice-Chancellor alone should have a veto, but that he could only use it if the Heads, at a meeting summoned for the purpose, had passed a resolution that he might do so; but this attempt at a compromise signally failed. Whewell was particularly incensed by a proposal which seemed to him to place the Vice-Chancellor in bonds, and denounced with characteristic violence such an outrageous affront to the dignity of the most responsible officer of the University.<sup>5</sup> When the discussion was resumed on the following Saturday, he proposed as an amendment that the Vice-Chancellor could use his veto without the previous sanction of the Heads; but neither this amendment nor the original motion was put to a vote; for by a majority of one the meeting approved W. H. Thompson's proposal that "when in any term a Grace is first proposed, each member of the Caput shall

<sup>1</sup> A. H. Wratislaw, who was on the syndicate, asserted that "the separate veto of the individual members of the syndicate was generally considered to be an evil, but great reluctance being manifested to disturb that of the Vice-Chancellor, the majority of the syndicate preferred retaining the negative power in the individual members, as a kind of check upon that of the Vice-Chancellor". Reasons for refusing to sign the Report of the Statutes Revision Syndicate (1852).

<sup>2</sup> Whewell, *Of a Liberal Education*, Part III (1852), p. 70.

<sup>3</sup> Diary of J. Romilly, 8 March 1851.

<sup>4</sup> *Ibid.* 11 March 1851.

<sup>5</sup> *Ibid.* 3 May 1851.



have a veto, but if, having been rejected by the Caput, it is after the expiration of that term proposed again, the veto shall not be exercised except with the concurrence either of the major part of the members of the Caput or of the Chancellor<sup>1</sup> and two other members".<sup>2</sup>

Thompson found, like Ainslie, that peacemakers are doomed to disappointment, for Whewell was greatly angered by his motion, and drafted, though he may not have sent, an angry letter of protest to the Vice-Chancellor.

"As I fear", he wrote, "that I shall not be able to attend the meeting of the Statutes Syndicate on Tuesday, when the confirmation of the resolution, carried by a majority of one, will, I presume, be proposed, I take the liberty of begging you to state that I cannot agree to such confirmation, and to mention my reason for this. It appears to me that the resolution rescinded the former vote of the syndicate by which the Vice-Chancellor's veto was affirmed,<sup>3</sup> and therefore, if I recollect the number of votes rightly, the resolution cannot be carried in agreement with the general order of the syndicate as to rescinding former resolutions. I must add that the resolution appears to me so completely to subvert the constitution of the University, and to make it impossible for its business to be properly conducted, that I do not see how I can be in any way a party to it. I will further take the liberty of adding, without wishing the statement to be communicated to the syndicate, that I cannot understand how it could be considered either proper or allowable that such a proposal as that of the Master of Pembroke should be laid before the syndicate without the previous concurrence of the Heads."<sup>4</sup>

This protest, if sent, was unavailing, for on Tuesday, 13 May, Thompson's motion was confirmed "after much fighting".<sup>5</sup> Yet Whewell refused to admit defeat, and at a meeting on Saturday, 24 May, which he came up from London to attend, he brought forward a motion which, though its form is unknown, must also certainly have been for rescinding the resolution confirmed on 13 May. He was defeated, the

<sup>1</sup> That is, the Vice-Chancellor, who exercised all the powers of the Chancellor when the latter was not in Cambridge.

<sup>2</sup> Diary of J. Romilly, 12 May 1851; Draft Report of Statutes Revision Syndicate, 31 May 1851, Whewell Papers. Thompson's motion was carried by nine votes to eight.

<sup>3</sup> This allusion is obscure, and it has not been found possible to ascertain the motion carried or rejected by this former vote. The reference cannot be to Whewell's amendment of 10 May, which, according to Romilly, was not put to the vote.

<sup>4</sup> Draft of a letter from Whewell to the Vice-Chancellor, 12 May 1851, Whewell Papers.

<sup>5</sup> Diary of J. Romilly, 13 May 1851.

votes being six to six, five members not voting.<sup>1</sup> And as it had been arranged to sign the report at the latest on the following Saturday, 31 May, this really seemed like the end of a long drawn-out battle; and if Whewell had been alone in opposition, it probably would have been. He was, however, supported by the Masters of St John's, Christ's and Peterhouse; and several members of the syndicate were clearly uncertain on which side of the fence to come down. It was therefore at least worth while to attempt to delay the approval of the report.

"I agree with you in thinking", wrote the Master of Christ's to Whewell on 25 May, "that it is now clear the Vice-Chancellor<sup>2</sup> and the Master of Pembroke will sign the report of the Statutes Syndicate. I also think that a protest, such as you have drawn, ought, if possible, to be signed by those who dissent from the report, and to be read when the report is offered for signature. . . . The Masters of St John's and Peterhouse have seen it, and I shall send it tonight to the Master of Catharine (*sic*) at Norwich. I heartily wish that by some fortunate chance the syndicate could separate for the summer without reporting. The majority are now flushed with victory, and have entirely lost the power of considering any point with calmness. . . . It is possible they might return to the subject in a better spirit in October, and at all events we should have another Vice-Chancellor before the division of the Michaelmas term."<sup>3</sup>

The hope was therefore that when the victors and the neutrals became aware that some of the leading members of the syndicate were prepared to go so far as to refuse to sign the report, they might consent to a postponement; and this hope was fulfilled. "The last syndicate of the term", recorded Romilly in his diary on 31 May. "Whewell was very furious in refusing to sign such an organic change as the new Caput scheme: we ended by adjourning till October, though we had fully meant to sign today."<sup>4</sup>

Whewell and his supporters had nothing to lose, and possibly something to gain, by prolonging the struggle, for, as the opposing parties were equally matched and there were some waverers, it was not out of the question that defeat might be converted into victory. This was

<sup>1</sup> *Ibid.* 24 May 1851.

<sup>2</sup> It is strange that Dr Corrie, having such very strong Tory opinions, was not opposed to restricting the power of the Vice-Chancellor; but the explanation of this inconsistency may be his hatred of Heads of Houses, upon which Romilly remarks in his diary, 22 February 1857.

<sup>3</sup> Dr Cartmell to Whewell, 25 May 1851, Whewell Papers.

<sup>4</sup> Diary of J. Romilly, 31 May 1851.

almost but not quite achieved. On 30 October the syndicate approved the Master of Christ's motion for the re-opening of the Caput question, thereby rescinding the resolution confirmed on 13 May; and on 8 November passed by nine votes to eight a motion, also brought forward by the Master of Christ's, for the Vice-Chancellor to have an absolute veto in the Caput. But on the following Thursday, after a furious battle, confirmation of this resolution was refused;<sup>1</sup> and the patience of the syndicate was at last exhausted. They admitted in their report, which appeared early in December 1851, that they had not been able to agree upon a scheme for the modification of the powers of the Caput.

Those who had fought for the Vice-Chancellor's absolute veto could make this admission without regret, for the substance of victory was with them; but in the camp of their opponents there was much bitterness. Bateson, Wratishaw and Godfrey Sykes of Downing refused to sign the report, and some only signed it reluctantly.<sup>2</sup> Yet though the report was marred by this great omission, it was, nevertheless, a notable achievement, covering much ground and recommending many valuable reforms; and not the least of its merits was its recognition that the progress of the University had been seriously impeded, and the habit of law-breaking encouraged, by the absurdly detailed character of the Elizabethan code. "Many objects of academic legislation", the report stated, "are of so fluctuating a character that, however expedient it may be that they should be regulated by general and established ordinances, yet it is by no means advisable that these ordinances should have the permanent nature of statutes";<sup>3</sup> and in accordance with this principle the report made no provision for regulating the conduct and subjects of the various University examinations, which clearly would always need constant revision, and recommended, on account of the changing value of money, that "fines shall be settled and ordered by Grace, not by statute". Thus the University was to be free to adapt itself to changing conditions and new educational theories.

Tedious though such an enquiry must be, it is impossible to appreciate the significance of the syndicate's report in the history of academic reform without examining it in detail; for though all its recommendations were not of equal importance, remarkably few of them have no

<sup>1</sup> Diary of J. Romilly, 30 October, 8 and 11 November 1851.

<sup>2</sup> *Ibid.* 6, 9 and 10 December 1851. Four members of the syndicate, being away from Cambridge, were unable to sign.

<sup>3</sup> The report appears in the Appendix of Part III of Whewell's *Of a Liberal Education* (1852), and in C. H. Cooper's *Annals*, vol. v, pp. 35-41.

importance at all. Nearly all of them were intended to remove an abuse or to effect an improvement.

Several of them were concerned with the residential qualification for admission to degrees, and the least revolutionary of these, being not much more than an extension of existing practice, was the recommendation that it should be necessary to have resided during at least two-thirds of the term to be able to count it as having been kept. The Elizabethan statutes had taken for granted residence during the whole of each term; but an interpretation by the Heads in 1579 reduced the amount of residence required to the greater part of a term; and, consequently, it became the established practice for undergraduates not to come into residence in the Michaelmas and Lent terms until just before the division of term when lectures began, and in the Easter term to go out of residence after the division of term when lectures ceased. In the course of the nineteenth century, however, it became customary at most of the colleges to begin lectures in the Michaelmas and Lent terms much earlier than the division of term, though not to continue them after the division of the Easter term; and therefore undergraduates were generally required to reside during two of the three terms of the academical year for longer than half the term. Thus this particular recommendation of the syndicate would actually do not much more than prolong residence in the Easter term; but this was no small gain. The encroachments of cricket and rowing upon the studies of undergraduates had begun to be felt; and even without these distractions residence during the Easter term was generally admitted to be far too brief for instruction of any value to be given. Nor did only the undergraduates suffer. J. J. Smith of Caius informed the Royal Commissioners that "the shortness of the term prevents the students settling to their work; and, indeed, this evil effect extends to the whole body; for no public business is scarce ever begun in this half term, because the Senate are so unsettled, and there would not be time to finish".<sup>1</sup>

But the syndicate also recommended that only nine instead of ten terms should be required to be kept by residence before admission to the degree of Bachelor of Arts, unless the University prescribed otherwise by ordinance; and this was a far more revolutionary proposal. It certainly had the merit of materially reducing the numbers in residence during the Michaelmas term, and of lessening the cost of a University education, of which parents were complaining; but the change would

<sup>1</sup> *University Commission Report (1852)*, Correspondence and Evidence, p. 190.

bring loss as well as gain. If the academical year continued to begin in October, the examinations for the degree of Bachelor of Arts must be held in June instead of in January, and, consequently, the candidates would, in addition to the loss of a term, be deprived of the opportunity of private study and private tuition during the Long Vacation of their third year. Though it was not pretended that candidates for the ordinary degree would thereby seriously suffer, it was very reasonably urged that candidates for honours, of whom so much was required, would have insufficient time for their studies unless the standard of the Mathematical Tripos was lowered. This objection could of course be partially met by changing the date of the beginning of the academical year from October to January; but the colleges were likely to disapprove of this expedient as deranging their examination and lecture courses.<sup>1</sup> The syndicate seems to have been alive to the difficulties which the adoption of their proposal might occasion, for they provided that the University could by ordinance require more than nine terms residence for the degree of Bachelor of Arts.

In recommending, however, that undergraduates should be eligible for admission to the degree of Bachelor of Laws "in five instead of six years", though still to be required to keep nine terms by residence, and that the degrees of Doctor of Laws and Doctor of Medicine might be taken earlier than the Elizabethan statutes allowed, the syndicate were clearly not aiming at a reduction in the cost of a University education.<sup>2</sup> The object of these recommendations was to increase the number of candidates for these degrees. The Cambridge medical course was suffering severely from the competition of other schools of medicine, and was at a great disadvantage owing to "the longer time necessary before the Doctorate in medicine could be obtained and a position in the profession be secured;"<sup>3</sup> and the Professor of Civil Law, Sir Henry Maine, was of the opinion that the adoption of the syndicate's recommendations would raise the standard and increase the popularity of the Law course.

"At present", he informed the Royal Commissioners, "the members of the . . . faculty are placed under considerable comparative disadvantages. They obtain no degree at all till they are of *six* years standing, and they are not

<sup>1</sup> W. Whewell, *Of a Liberal Education*, Part III (1852), pp. 18-23.

<sup>2</sup> The syndicate, however, did not recommend that all candidates for the Doctorate of Laws should be able to take that degree sooner, but only those who required it "for the purpose of actual practice in the Law Courts".

<sup>3</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 82.

invested with a degree which confers a vote in the Senate and the electoral franchise until they have been enrolled in the books of the University eleven years. . . . In the existing condition of our law studies, there are perhaps inducements to enter the law faculty which overweigh these academical disadvantages; but the inducements in question will necessarily be destroyed by the reforms I have suggested, and then the inferiority of the law degree in point of academical advantage will certainly operate unfairly to discourage persons from preferring it to a degree in arts."<sup>1</sup>

The exercises for degrees in law and medicine also did not escape the notice of the Syndics, who proposed that the Professors of those faculties, if they thought fit to do so, should be able to conduct them after the manner of a *viva voce* examination. This was a wise suggestion, as the knowledge of youthful candidates could not easily be tested by a formal disputation; but, as was reasonable, they did not grant the same liberty to the Regius Professor of Divinity. With the exception of Ten-Year men, only Masters of Arts of at least seven years standing were qualified for admission to the degree of Bachelor of Divinity; and the theological equipment of such senior candidates could probably be far better tested by a disputation, conducted in public and before a critical audience, than by an examination. Even in the eighteenth century the divinity exercises had always enjoyed a high reputation, and the syndicate saw no reason for suggesting a change in the mode of conducting them, particularly as they proposed to abolish the Ten-Year men.

It was undeniable that, though an attempt had been made to encourage these Ten-Year men to acquire a little theological learning,<sup>2</sup> few of them succeeded in doing so; and yet they were not wholly undeserving of sympathy. And the syndicate were not lacking in consideration, for they endeavoured to do justice to both the University and the Church. In order to save a distinguished degree from degradation, they proposed the abolition of the Ten-Year men, but they also recommended that "under regulations to be laid down by the Senate, . . . students in theology may obtain the title of Licentiates in Theology, provided that, when any one has obtained this title, no residence kept by him for the purpose of obtaining it shall avail for the obtaining of any degree". This concession to degreeless clergymen may be criticised as too meagre, for only

<sup>1</sup> *Ibid.* p. 79. A syndicate had been appointed to suggest reforms in the Law faculty, but failed to agree and never published a report. W. Whewell, *Of a Liberal Education*, Part III (1852), pp. 48-49.

<sup>2</sup> See p. 167.

a title was granted, and there seems no good reason why a Licentiate, who wished to proceed to a degree, should not be able to count the residence he had already kept; but possibly it was felt that greater generosity might endanger the dignity of the University. The wisdom of leaving the Senate to prescribe by ordinance the conditions under which the title of Licentiate could be obtained is beyond question, for it was a leap in the dark, and it might be found necessary to leap back.

The syndicate had also the dignity of the University in mind when they proposed that candidates for degrees should no longer be allowed to "caution" for the exercises. In the Middle Ages the performance of an exercise had occasionally been allowed to be postponed if a financial pledge, styled a "caution", was given that it would be performed at a future date; and from this occasional concession had developed the regular practice of dispensing candidates for the higher degrees from some of the statutory exercises in return for a money payment. In proposing the abolition of this abuse, the syndicate again tempered reform with mercy. For many years clerical candidates for the degree of Doctor of Laws, and any candidate for the degree of Doctor of Medicine, had been allowed to "caution" for one of the two acts required of them; and the syndicate recommended that, though the applicants for these degrees should keep the same number of opponencies as before, they should only be obliged to perform a single act.

The University had long found it inconvenient to be precluded by the Elizabethan statutes from conferring titular honorary degrees at pleasure. Those statutes, as modified by subsequent interpretations, enabled *nobiles* and *tanquam nobiles*<sup>1</sup> to be admitted to a degree without having fulfilled any of the statutory requirements, and on the petition of the Chancellor of the University the Crown could by Letters Mandatory dispense from those requirements; but as only persons in certain categories were eligible for a noble degree, and both they and the recipients of mandate degrees were obliged to take the oaths of Allegiance and Supremacy, and to declare themselves members of the Church of England, the University could not freely recognise great distinction in public life or scholarship by the award of an honorary degree. The syndicate therefore recommended

<sup>1</sup> The University had by a Grace passed on 18 March 1825 required the *nobiles* and *tanquam nobiles*, if in residence, to pass the examination for admission *ad respondendum quæstioni* (see p. 167); but had reserved the "right of conferring degrees (without either examination or residence) on such individuals as are illustrious, not on account of birth only, but on account of the services they have rendered to the State or to literature". H. Gunning, *Ceremonies* (1828), p. 216.

that "foreigners of distinction, rank, or talent, and natives of the United Kingdom of Great Britain and Ireland, distinguished by talent or public service, may be admitted to titular degrees of honour in arts, law, or physic, without being called upon to make any subscription or affirmation, provided that none of these persons shall by virtue of such admission have any vote in the Senate".

The syndicate also recommended that it should cease to be possible for a resident to proceed to the degree of Doctor of Divinity *per saltum*. This particular abuse has a curious history. An interpretation of the statutes, approved by the Chancellor and Heads in 1575, dispensed non-resident Masters of Arts from performing the exercises required for any higher degree, if they had formerly distinguished themselves in scholastic exercises, and were unable, on account of their duties in the world, to perform the exercises for the degree they wished to obtain; and as in those days resident members of the University were known as gremials, only non-gremials could claim the benefits of this interpretation. Nor in a way was this limitation ever denied, but in course of time all members of the Senate, whether in residence or not, came to be known as gremials; and the practice grew up of allowing a resident Master of Arts of proper standing, if he removed his name from the books of his college, and therefore, by ceasing to be a member of the Senate, became a non-gremial in the new meaning of that term, to proceed to the degree of Doctor of Divinity without having either performed the exercises for that degree or those for the degree of Bachelor of Divinity. This was clearly an illegality, being both against the letter and the spirit of the interpretation; and the syndicate accordingly recommended that only non-resident Masters of Arts who had kept the exercises for the degree of Doctor of Divinity and fulfilled certain other conditions, should be permitted to proceed to it *per saltum*.

There was another abuse which, though not illegal, was much more objectionable. The framers of the Elizabethan statutes had assumed as a general rule that all Masters of Arts would remain in residence, and had decreed that when of four years standing they should declare in which of the three faculties of divinity, law and physic they intended to proceed, and that, even if they were not candidates for a higher degree in the faculty which they had chosen, they should, if called upon, perform the exercises for it, and be fined if they failed to do so. The colleges also had to nominate Bachelors of Divinity and Masters of Arts in Holy Orders under a certain standing to preach the Sunday sermons



in the University Church. It was clearly ridiculous to enforce these regulations when the conditions of University life had entirely changed, and they had been modified to a certain extent in practice. It had become customary to require only residents to preach the Sunday sermon, and not to require Masters of Arts, who did not intend to proceed to a higher degree in law or physic, to keep the exercises for it. But any Master of Arts who had kept his name on the books of his college, and had declared for divinity, could be called upon under penalty of a fine to keep a divinity act, and even if he had not so declared, for it had become the practice to assume that all Masters of Arts who had not made a declaration at the proper time had declared for divinity. Thus Adam Sedgwick in 1829, when Professor of Geology and without a thought of taking a divinity degree, was busily engaged in studying for the divinity act he had to keep. But the greatest sufferers were the non-resident Masters of Arts who had kept their names on the books of a college, for they were confronted with the grim alternative of either being constantly fined or constantly made ridiculous. "The periodical recurrence of divinity acts and of the fines for their non-performance", wrote Peacock, "compelled Masters of Arts, who refused to be made the subject of such exhibitions, to cease to be members of the University";<sup>1</sup> and the syndicate very wisely recommended that "Masters of Arts, unless proceeding to degrees in theology, shall not be subject to theological exercises, . . . and that no declaration of change of line shall be required".

From a very early date all undergraduates when matriculated, and all recipients of degrees, had been obliged to take certain oaths, and as some of these had become in course of time very antiquated in form, and others impossible to observe, they were in urgent need of revision. Yet when Professor Farish proposed on 20 February 1833 seven Graces, which abolished some of these oaths and modified others, they were all vetoed in the Caput, and the Vice-Chancellor, Dr Webb, seems to have treated him with great rudeness.<sup>2</sup> It is possible that the Senate was believed to be legally incompetent to change these oaths; but when in 1835 Parliament passed an Act, authorising the Universities to substitute declarations for any oaths required to be taken, this objection ceased to be valid, and on 1 November 1837 the Senate approved a Grace which

<sup>1</sup> G. Peacock, *Observations on the Statutes of the University* (1841), p. 147, note 4.

<sup>2</sup> University Papers, University Library, A.C. 206. Diary of J. Romilly, 12 January 16, 19 and 20 February 1833.

substituted equivalent affirmations or declarations for the oaths taken on matriculation and on admission *ad respondendum quaestioni*.<sup>1</sup>

But this was a very minor concession, for the declarations were as meaningless to those who made them as the oaths had been. Undergraduates, when matriculated, had to declare that they would observe the laws, statutes and privileges of the University, though many of these were obsolete or impracticable; and candidates for admission *ad respondendum quaestioni* had to declare that they had fulfilled all the necessary conditions for admission, though the college authorities were responsible for seeing that they had done so. The recipients of higher degrees had to swear that they would not violate the Composition between the University and King's College, which most of them had never read; but no one was actually called upon to commit perjury until the ceremony of creation, when Masters of Arts and Doctors had to swear that they would teach daily in the Schools for a term of years,<sup>2</sup> and that they would neither acknowledge nor accept the degrees of any other English University except those of Oxford.<sup>3</sup> It is much to the discredit of the University that this rubbish had not been cleared away long before; and the syndicate rightly recommended that "no academical oath shall in future be required of any person upon admission to a degree, nor any affirmation of his having performed what the statutes require him to have done, of which the University receives sufficient testimony from others; but that a solemn promise shall be required of obedience to the laws and executive authority of the University, and also of using the privileges granted to him upon admission without abusing them". The affirmation made by undergraduates on matriculation was left untouched, though it well might have been modified.

The syndicate also came to the rescue of the compounders, and attacked what was admitted to be a very gross abuse. By a clause in the forty-ninth chapter of the Elizabethan Statutes,<sup>4</sup> all persons who, apart from what they received from their college or the University, possessed an annual income of forty marks, that is of £26. 13s. 4d., were required on admission to any degree to give, in addition to the ordinary fees, "the Chancellor, the Proctors and the other officials

<sup>1</sup> C. H. Cooper, *Annals*, vol. iv, p. 614.

<sup>2</sup> Masters of Arts for five years, and Doctors for two years.

<sup>3</sup> G. Peacock, *Observations on the Statutes of the University* (1841), chapter 2, and Appendix A, p. xxviii, Note 1; G. Ainslie, *A Historical account of the Oaths and Subscriptions required in the University of Cambridge* (1833).

<sup>4</sup> This clause was based on more ancient statutes.

gowns, in the accustomed manner of the University", or to "make a reasonable composition with them for the same". Hence the name compounder, and the reasonable composition was fixed at £8. 6s. 4d. But complications soon arose when attempts were made to clear up what were thought to be ambiguities in this provision. In 1599 the Heads by an interpretation ruled that it applied to ecclesiastical livings as well as to lay property, and that all clergy who possessed livings valued at forty marks or more in the King's Book, that is, in the record of the value of benefices made in the reign of Henry VIII, must compound.<sup>1</sup> This interpretation, owing to the falling value of money, was very much to the advantage of the clergy, whose liability to compound was calculated in accordance with what the value of their livings had once been, whereas the same liability for the layman was calculated in accordance with the actual value of his property. It, moreover, left out of account benefices which had been created since the King's Book was compiled; and as an interpretation of 1686 ruled that livings and all other ecclesiastical preferments not appearing in the King's Book should be "rated according to their reputed value",<sup>2</sup> a small benefice of forty pounds a year, not mentioned in the King's Book, entailed the payment of the compounder's fee, while a wealthy rectory, which had been rated in Henry VIII's time at less than forty marks, did not. There were other great inequalities. In the nineteenth century, and probably earlier, a man who drew an income, however large, from investments was not a compounder, while the owner of an estate of the annual value of twenty-seven pounds was.<sup>3</sup>

There is no more effective way of encouraging fraud than an unequal distribution of a financial burden; and in a pamphlet, which was probably published about 1849, Gunning pointed out that, despite the increase in the value of property and in the number of degrees taken, there had only been a very slight increase, and in recent years actually a decrease, in the number of compounders. In 1849, for instance, of the three hundred and forty-one persons admitted to the degree of Bachelor of Arts, only fifteen had been compounders; and the figures for the years immediately preceding were very much the same.<sup>4</sup> There was therefore reason to think that the University was being systematically defrauded; and this evil was not a recent growth. The interpretation of 1686 referred to the "frequent practice among candidates for

<sup>1</sup> *Statuta Academicæ Cantabrigiensis* (1785), p. 329.

<sup>2</sup> *Ibid.* pp. 345-346.

<sup>3</sup> H. Gunning, *Thoughts on Compositions for Degrees* (no date).

<sup>4</sup> *Ibid.*

degrees, having compounding estates, to alienate or make over the same" until they had taken their degree.

No one can have wished these chaotic and grotesquely unfair regulations to be left unchanged, but some thought that the compounder's fee ought to be retained, and that the only reform needed was to rate the clergy and laity alike, and to calculate "what is the fair value of forty Elizabethan marks in Queen Victoria's shillings".<sup>1</sup> The fees paid by compounders were distributed between the two Proctors, the three Esquire Bedells, and other minor officials;<sup>2</sup> and it was argued that the University could not afford to dispense with any source of income. The syndicate, however, recommended that the compounder's fee should cease to be exacted, and that the consequent financial loss should be met by the abolition of one of the Esquire Bedells. This recommendation was not universally approved, as some considered that as the Mayor of Cambridge and the Vice-Chancellor of Oxford had six maces carried before them, the Vice-Chancellor of Cambridge would cut a sorry figure if on public occasions he was only preceded by two Esquire Bedells;<sup>3</sup> but most sensible persons thought the price cheap.

But the syndicate did not always rise to the occasion. Shortly after Whewell had been appointed to the Mastership of Trinity, George Airy had urged him to reform the University accounts when he became Vice-Chancellor. "I know something", he wrote, "of various private and trust accounts, but I know none in which delay is so carefully studied, and the ignorance of the managing parties so completely insured, as in the University funds."<sup>4</sup> How that delay and ignorance came to be is explained by Peacock in his work on the University statutes: the Vice-Chancellor "manages the public and trust estates and finances of the University, ordering and superintending every repair, making every payment, and keeping, verifying and balancing the entire accounts of receipt and expenditure". This was clearly far more than a man, who had much other business on his hands and very often had no knowledge of finance, could possibly do; and Peacock very wisely suggested the appointment of a "University bursar, under the general control and authority of a syndicate of accounts".<sup>5</sup> Yet for some obscure reason the University did not wish to entrust its finances to expert management.

<sup>1</sup> *A Plea for the Triumvirate of Esquire Bedells* (1852), p. 8.

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 34.

<sup>3</sup> W. Whewell, *Of a Liberal Education*, Part III (1852), p. 53.

<sup>4</sup> G. Airy to W. Whewell, 31 October 1841, Whewell Papers.

<sup>5</sup> G. Peacock, *Observations on the Statutes of the University* (1841), pp. 136-137.

A Grace for the appointment of a bursar or treasurer, which was announced for presentation to the Senate on 21 March 1828, was rejected if ever submitted;<sup>1</sup> and Dr Okes, when Vice-Chancellor, informed the Commissioners that the University would not benefit by the creation of such an office.<sup>2</sup> Moreover, though the accounts, as the thirty-ninth chapter of the Elizabethan statutes required, were annually audited, no regard was paid to the provision which ordained that the audit must be completed within twelve days of 10 October which was the statutory date for the appointment of the auditors. At the end of the eighteenth century a Vice-Chancellor noted that, though "the University audit is generally before Lady Day", it had not of late been held so early;<sup>3</sup> and in the nineteenth century it continued to be very much behind time. The accounts of Thomas Worsley, Master of Downing, who ceased to be Vice-Chancellor in November 1838, were not audited until the following June, and apparently this was only a month or so later than usual.<sup>4</sup> But though the accounts were audited, they were not published until 1847, when the practice began of circulating a printed summary of them to all resident members of the Senate.<sup>5</sup> A Grace passed in May 1851 made this obligatory, and also provided that the audit should begin not later than 1 February;<sup>6</sup> but no steps were taken, or even contemplated, to give the Vice-Chancellor expert financial assistance; and the syndicate contented themselves with recommending a very trifling change in the appointment of the auditors.

They were equally cautious, and with far more justification, in dealing with the religious tests; and the only change they suggested was that the recipients of all degrees, except those in theology, should be allowed, like those admitted to the inferior degrees, to subscribe to a declaration of membership of the Church of England instead of to the three articles of the Canons of 1604. As it was a most inopportune moment to

<sup>1</sup> University Papers, University Library, A.C. 206.

<sup>2</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 17.

<sup>3</sup> Memorandum of the Duties of a Vice-Chancellor; Corpus Christi College. This document, which the Master of Corpus Christi College very kindly brought to my notice, is undated; but internal evidence suggests that it was compiled at the end of the eighteenth century.

<sup>4</sup> Diary of J. Romilly, 14 June 1839, 30 May 1848, 7 April 1851.

<sup>5</sup> W. Whewell, *Of a Liberal Education*, Part III (1852), pp. 52-53. Among the University Papers in the University Library, there is a printed statement of accounts for the year ending 3 November 1847. See also *University Commission Report* (1852), p. 141.

<sup>6</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 17.

rekindle the fire of a recent bitter controversy, the syndicate acted prudently; but they unfortunately also recommended that "if at any time any person, credibly supposed to have renounced the Church of England, attempt to give a vote in the Senate, the Chancellor may of his own accord, or at the instance of any member of the Senate, demand of him whether he still adheres to the subscription which he made on admission to his last degree, and, if he do not make such acknowledgment, the Chancellor shall see that his vote be not accepted". A worse form of the pernicious sport of heresy hunting could hardly have been devised; but it was not primarily aimed against Dissenters. The numerous secessions to the Church of Rome, which had followed upon the Tractarian movement, had created a panic, and it was against those who had strayed from the Anglican to the Roman fold that this recommendation was directed. It was warmly approved by Whewell who, though not generally fanatical or particularly intolerant, was horrified by the thought that a recusant might use a vote in the Senate "to inflict as much damage as possible upon the Church of England, for the protection of which the tests were devised".<sup>1</sup>

The other recommendations of the syndicate can be more briefly dismissed. No objection could possibly be taken to the institution of a new cycle for the appointment of Proctors, Taxors and Scrutators, to the abolition of the second Tripos Day, and to the recommendation that Inceptors in Arts and Doctors should no longer be required to be present when created. Nor were many tears likely to be shed over the threatened disappearance of the *commorantes in villa*, as those graduates were styled who, being resident in the town and formerly members of a college, had registered themselves with the University. But it was very possible that objection would be taken to the proposal to admit graduates of other Universities than Oxford and Dublin to titular degrees.

The most hostile critic could not possibly deny that if the Senate accepted the recommendations of the syndicate, the Elizabethan code would be much improved; but the absence of any proposal for the reform of the composition and powers of the Caput was not the only important omission in the report. The legislative machinery of the University was left untouched, though the division of the Senate into two houses facilitated effective opposition to change; and the extremely contentious question of the right of the Heads to nominate the candidates for certain offices does not seem to have been raised. It was doubtless

<sup>1</sup> W. Whewell, *Of a Liberal Education*, Part III (1852), p. 47.

prudent of the syndicate to avoid rocks on which they would probably have been wrecked, but they thereby diminished the value of their work. Nevertheless, the report, with all its limitations and imperfections, was a great achievement.

On 11 March 1852, Dr Okes, the Vice-Chancellor, informed the University that the recommendations of the syndicate would be separately put to the vote of the Senate on the last three days of April; but a few days after he had made this announcement he received a numerously signed memorial which induced him to doubt the expediency of this course.

“The undersigned members of the Senate,” it ran, “being of opinion that the power of veto possessed by each member of the Caput is a point deserving the serious consideration of the University, and that it is desirable that the decision which may be come to on this point should meet with the deliberate approval of the Senate, regret to find no proposal for taking the sense of the University on this question in the report of the syndicate. . . . They therefore respectfully request the Vice-Chancellor to take the subject into consideration, with a view of adopting such measures, as he may think best, for submitting to the judgment of the Senate whether in the revised University statutes any single member of the Caput should have an *absolute* veto upon any proposed Grace.”<sup>1</sup>

Dr Okes could not afford to disregard this memorial, as its signatories might as a protest vote against all the recommendations of the report;<sup>2</sup> but for some days he was unable to make up his mind what he ought to do. There were forcible objections to the appointment of a new syndicate, and yet at first it seemed to him useless to ask the existing syndicate<sup>3</sup> to reconsider a question which they had so exhaustively, though vainly, discussed.<sup>4</sup> But eventually he came to the conclusion that the latter alternative was worth a trial, as it was just possible that under the pressure of public opinion the extremists in both parties might

<sup>1</sup> University Papers, University Library, C. 1. The memorial is dated 3 March, but as the Vice-Chancellor did not acknowledge it until 19 March, it may be safely assumed that he did not receive it until after he had announced that the recommendations of the syndicate would be submitted to the Senate.

<sup>2</sup> Dr Philpott to Colonel Grey, 24 March 1852, Royal Archives, Windsor Castle.

<sup>3</sup> On 26 March 1852 a Grace was passed for continuing the syndicate until the end of the Lent term 1853. Diary of J. Romilly, 10 December 1851, 26 March 1852.

<sup>4</sup> See Answer to the Memorialists, 19 March 1852, University Papers, University Library, C. 1.

be more moderate. And as the syndicate were willing to make another attempt to reconcile their differences,<sup>1</sup> the Vice-Chancellor on 24 March announced the postponement of the Graces which had been advertised for submission to the Senate. "I am not without a good hope", remarked Dr Philpott, "that by concessions and explanations on all sides, and after the full discussion which the subject has undergone, the syndicate will eventually succeed in making a scheme which shall obtain the approbation of the University."<sup>2</sup>

Dr Philpott read the situation aright, but, though hopeful, he did not expect that a scheme would be easily framed. After consulting the other Heads on the syndicate, Dr Ainslie proposed at a meeting of the body on 3 May that the Bishop of Ely and two eminent judges, Sir Edward Alderson and Sir John Patteson, should be asked to submit a plan for the reconstitution of the Caput,<sup>3</sup> but when this proposal, which was offered as a compromise,<sup>4</sup> was fully discussed at a meeting on 6 May, it had a very bad reception: "not a soul at our end of the table", wrote Romilly, "approved of Ainslie's scheme, so he withdrew it."<sup>5</sup> Nine days later, however, it was agreed to refer the question to a sub-committee, consisting of the Masters of Pembroke, St Catharine's and Peterhouse, and three other members of the syndicate, of whom two, William Bateson and Godfrey Sykes, had refused to sign the report, and the third, who was Romilly, had only done so with many misgivings.<sup>6</sup> It was a well-constituted body for its purpose, as two of the Heads chosen to serve on it, the Masters of Pembroke and St Catharine's, were conciliatory in temper; and it certainly worked well, for all its members, with the exception of the Master of Peterhouse, agreed, after three meetings, to recommend to the syndicate a scheme which Bateson and Sykes had submitted.<sup>7</sup> That scheme, after being discussed and modified at two meetings of the syndicate, was approved;<sup>8</sup> and the report, in which it

<sup>1</sup> Diary of J. Romilly, 23 March 1852.

<sup>2</sup> Dr Philpott to Colonel Grey, 24 March 1852, Royal Archives, Windsor Castle. Mrs Stair Douglas in her *Life of Whewell*, p. 383, incorrectly states that the Graces were offered to the Senate in April 1852, "but were not passed". C. H. Cooper in his *Annals* (vol. v, p. 41) equally incorrectly states that the Graces were postponed at "the instance of the University Commissioners".

<sup>3</sup> According to Romilly, "Ainslie's idea was reference to one person, viz. Sir J. Parke, but his brother Heads wished for the three above mentioned"—Diary of J. Romilly, 3 May 1852.

<sup>4</sup> *Ibid.*

<sup>6</sup> Diary of J. Romilly, 15 May 1852.

<sup>7</sup> *Ibid.* 18, 22, 25 May 1852.

<sup>5</sup> *Ibid.* 6 May 1852.

<sup>8</sup> *Ibid.* 27, 28 May 1852.



was published to the University, was signed by all the Syndics then in Cambridge.<sup>1</sup>

It sought peace by compromise. Though the single veto was retained, it was rendered practically innocuous, as the Caput was only to deal with supplicats for degrees. All other Graces were to be submitted to a new body, styled the Council, which was to consist of the Vice-Chancellor, his immediate predecessor in office, and fifteen elected members, of whom the Heads were to appoint three, the Doctors three, the Professors three, and the colleges in rotation six, three Non-Regents and three Regents. No Grace, except one for conferring a degree, could be submitted to the Senate "without the previous sanction of the major part of those voting upon it in the Council"; and though neither the Vice-Chancellor nor any other member was to have a right of veto, absolute or limited, it was provided that if votes were equally divided, the Vice-Chancellor should have a casting vote, and that, in the event of a difference of opinion between him and a majority of the members of the Council present, "no act of the Council shall be valid without the approval of a majority of the whole number of persons constituting the Council".<sup>2</sup> It was partly due to the Master of Peterhouse that this last provision was adopted when the plan was considered by the syndicate;<sup>3</sup> and it is doubtful whether the report would have been approved without it.

"The chief point of difficulty and contention in endeavouring to form such a Council", wrote Dr Philpott on 29 May, "has been the determination of the position which the Vice-Chancellor should occupy in it. An absolute veto on all acts of the Council has been contended for on the one hand, and on the other it has been sought to place him simply in the position of perpetual President, with no more authority than a casting vote in case of an equal division. The scheme now agreed on is a mean between the two extremes, for it is provided that no proposition should be carried against the Vice-Chancellor unless it has the support of a clear majority of the whole Council, that is of nine members of it."<sup>4</sup>

<sup>1</sup> Dr Philpott to Colonel Grey, 29 May 1852, Royal Archives, Windsor Castle. The Master of Peterhouse signed the report.

<sup>2</sup> C. H. Cooper, *Annals*, vol. v, pp. 67-69.

<sup>3</sup> Diary of J. Romilly, 27 May 1852. It was also the Master of Peterhouse who urged that the preceding Vice-Chancellor should be a member of the Council.

<sup>4</sup> Dr Philpott to Colonel Grey, 29 May 1852, Royal Archives, Windsor Castle.

Dr Philpott was probably right in thinking that a mean had been struck, for as the Heads, Professors and Doctors were to appoint more than half the members of the proposed Council, it could reasonably be anticipated that only in very exceptional circumstances would there be a majority of sufficient numerical strength to outvote the Vice-Chancellor. It is therefore intelligible that those who had insisted that he must have an absolute veto were prepared to waive that demand for the sake of peace. But a question far more difficult to answer is why the Caput, shorn of nearly all its functions, was allowed to survive? Possibly it was thought to be convenient that a small body, which could be easily summoned, should deal with supplicants for degrees; and, as the Caput was to have no other duties, it could not be a lion in the path of reform. The king of the academic forest had been securely caged.

The Vice-Chancellor gave notice that the recommendations of the two reports of the syndicate would be submitted in the form of Graces to the Senate on 27, 28 and 29 October; but again there was a postponement. The report of the University Commissioners, though not yet published, had been completed and signed; and the Vice-Chancellor, to whom it had been confidentially communicated,<sup>1</sup> informed the syndicate that it commented on several of their recommendations for a revision of the statutes.<sup>2</sup> He must have regretted having done so, for the syndicate reacted by agreeing on 21 October to urge the Vice-Chancellor to postpone the submission of their recommendations to the Senate until after the publication of the Commissioners' report.<sup>3</sup> They contended that the Senate ought not to be subjected to the risk of approving regulations which the report of the Commissioners might show to be unwise or inadequate; and that, "if any alterations were to be made in the revised statutes consequently upon the recommendations of that report, it was preferable that the syndicate rather than the Senate should have to change or retract its expressed opinions".<sup>4</sup>

These were sound reasons, but, nevertheless, the Vice-Chancellor, the Prince and Dr Philpott were all against postponement.<sup>5</sup> They feared

<sup>1</sup> Diary of J. Romilly, 21 October 1852.

<sup>2</sup> The Vice-Chancellor's communication was veiled in diplomatic language: he informed the syndicate that he had "authority for saying that the report touched on several points of our Graces"—*Ibid.*

<sup>3</sup> Diary of J. Romilly, 21 October 1852.

<sup>4</sup> Report of the Statutes Revision Syndicate, 30 November 1852, University Papers, University Library, C. 1.

<sup>5</sup> Dr Philpott to Colonel Grey, 23 October 1852, Royal Archives, Windsor Castle.

that any defects and weaknesses in the academic system, which the report of the Commissioners might reveal, would be ruthlessly exploited by the enemies of the University, and that therefore it was tactically important that before that report appeared the Senate should have shown itself willing to remove at least some of them. For until the recommendations of the syndicate had been accepted by the Senate, they could not be cited as evidence that the University had turned over a new leaf. Nevertheless, the Vice-Chancellor sacrificed his own wishes, and agreed to postpone the presentation of the Graces.

But the report of the Commissioners, which appeared after Parliament had met in November, 1852,<sup>1</sup> contained far more praise than criticism of the syndicate's work. It expressed warm approval of many of their more important recommendations, and particularly of their proposal for the establishment of a Council. The criticism for the most part was on minor points of detail. It was suggested, for instance, that the individual right of veto in the Caput might with advantage be abolished, that all regulations about the exercises should be relegated to the ordinances, so that they could be more easily modified or repealed, and that a Licentiate in Theology might be allowed to count the residence he had kept if he wished to proceed to a degree, or at least be permitted to proceed to the degree of Bachelor of Divinity after he had been in Priest's Orders for ten years. The Commissioners also repaired certain omissions of the syndicate by proposing that the Vice-Chancellor should be assisted in the management of the University finances by a Clerk of Accounts, and that no one should be appointed a Proctor unless he had been in residence during the previous two years; and though they cautiously refrained from criticising the syndicate for not having more substantially relaxed the religious tests, and fully admitted the difficulty of doing so, they expressed the opinion that the University would suffer by continuing to retain them.

"It is one of the noblest characteristics of our times", they said, "that the barriers, which long excluded so many of our fellow subjects from the equal enjoyment of civil rights on account of differences in religious opinion, have happily been removed by the prevalence of a generous and wise policy. The University will be placed, more or less, in a false position, if it estranges itself from this great movement of liberal progress. There is a manifest and intelligible challenge to it to throw open the advantages of its system of educa-

<sup>1</sup> C. H. Cooper, *Annals*, vol. v, p. 75, note.

tion, under proper securities, as widely as the State has thrown open the avenues to civil rights and honours."<sup>1</sup>

The Commissioners covered, however, a far wider field than the Revising Syndicate; and a conspicuous feature of their report was a fairly complete plan for the reorganisation and extension of the educational system of the University. Having been much impressed by the successful working of the Board of Mathematical Studies, which had been recently established to supervise the Mathematical Tripos and to secure a "correspondence between the lectures of the Mathematical Professors and the subjects of examination",<sup>2</sup> the Commissioners suggested that similar Boards should be established for classics, theology, law, moral sciences, natural sciences and medicine, and that there should be a General Council of Studies, authorised "to deliberate and, when necessary, to report to the Senate upon all matters which relate to the public instruction of the University, and to give unity of action to the Boards who preside over its several departments".<sup>3</sup> This scheme, which closely resembles that in operation at the present day, was clearly a great improvement on the existing system of appointing occasional syndicates to enquire into the scope and conduct of examinations, for it insured constant supervision and control. The colleges, however, might possibly view it with suspicion as endangering their hold upon instruction.

It was even more possible that objection in the same quarter would be taken to the remarks in the report about the many important branches of learning which received either little or no encouragement. There were no facilities for the study of civil engineering, though they could be easily given in a pre-eminently mathematical University, and the study of modern languages was equally neglected; and the Commissioners therefore suggested that it should be possible to obtain honours in engineering and in modern languages combined with history, and further pointed out that the University might be enabled more adequately to discharge its duty of preparing undergraduates for ordination by establishing a theological examination "with classes or certificates of honour", in addition to the Voluntary Theological Examination.<sup>4</sup>

They also proposed that an undergraduate, who had passed the Previous Examination, made slightly more difficult, and completed his

<sup>1</sup> *University Commission Report* (1852), p. 44.

<sup>2</sup> See p. 208.

<sup>3</sup> *University Commission Report* (1852), p. 104.

<sup>4</sup> *Ibid.* pp. 28, 90.

residential qualification, should be eligible as a candidate for any Tripos, which went far further than the University had gone;<sup>1</sup> and their proposals for the reform of the examination for the ordinary degree were even more revolutionary. They drew attention to the many deficiencies and completely uninteresting character of that examination, and, in particular, to the undesirability of an undergraduate, who was not a candidate for mathematical honours, being obliged, five terms after he had taken the Previous Examination, to pass a very similar examination in order to qualify for a degree.

Mathematics and Greek and Latin still form a considerable part of it. But these are subjects in which time had long since shown that most of this class of students did not possess the desire or the aptitude to excel. If their taste and talents had inclined that way, the majority of them would no doubt have been found in the career of competition for mathematical and classical honours. For five weary terms they have been compelled to continue a course of reading, which, whatever attractions, whatever benefits, it may have for others, is to them irksome, and, need we hesitate to add, little better than unprofitable.<sup>2</sup>

The remedy suggested was that "corresponding to the examination for honours in each several Tripos, there should be a collateral examination at the same time and in the same subjects for those students who had adopted that particular line of study, though not seeking the distinction of an academical honour in it. As many as passed this collateral examination satisfactorily, should also be thereupon entitled, in point of academical proficiency, to the degree of Bachelor of Arts."<sup>3</sup>

This was a praiseworthy attempt to meet the needs of a class of young men who, though not sufficiently gifted to proceed to honours, had intellectual interests which deserved encouragement. The Commissioners were certainly right in thinking that some of the ordinary degree candidates might be reclaimed from idleness if given the opportunity of pursuing a congenial course of study; but they were wrong if they imagined that they had done all that was possible to remedy the evil of undergraduate indolence. They should have recommended the institution of an Entrance Examination, with a view of reducing the number of men who came to the University lacking any intellectual interests, and therefore not to be caught by any examination hook however skilfully baited; and their omission to do so is curious, particularly as

<sup>1</sup> *University Commission Report* (1852), p. 28.

<sup>2</sup> *Ibid.* p. 27.

<sup>3</sup> *Ibid.* p. 28.

some of them were aware that there were strong supporters within the University of this particular reform.

They faced, however, the consequences of their proposals for the reorganisation and extension of academic studies. As the colleges could hardly supply the additional instruction that would be required if those proposals were accepted, recourse must be had to the University; and the Commissioners therefore recommended that the statutory duties of the Professors should be re-defined and their stipends, when necessary, increased; and that they should be obliged to reside during at least six months in the year, and to deliver the number of lectures required of them, under pain of forfeiting the whole or a substantial part of their stipends. But as more Professors would also be needed, the creation of ten new chairs was proposed. One of these was assigned to practical engineering and another to descriptive geometry, so that the candidates for the Engineering Tripos should not be without instruction; one was assigned to anatomy, as it was thought undesirable that the same Professor should teach both human and comparative anatomy, and another to chemistry, as that subject had become "much too extensive for the teaching of one Professor";<sup>1</sup> two were assigned to divinity, as the existing number of three Professors of that subject was considered to be "altogether inadequate either to teach or to represent this most important department of human knowledge";<sup>2</sup> and there were to be Professorships of General Jurisprudence, International Law, Latin and Zoology, subjects which had never hitherto had a Professor.

But the University could not really become an effective teaching body unless it also catered for the needs of the many undergraduates who required more elementary instruction than Professors ought to give; and the Commissioners therefore suggested the creation of a large staff of University lecturers. It was held to be important that they should be numerous, in order that undergraduates might be able to select the lecturer they preferred, and have consequently less excuse for resort to private tutors; and to be even more important that these lecturers should be under no obligation to remain celibate or to take Holy Orders, as it was hoped that "residence in the University, unfettered by the ties of celibacy and Holy Orders, would offer great attractions to many persons of high attainments".<sup>3</sup> But this was not enough. As college Tutors could be trusted to do their utmost to keep the instruction of undergraduates in

<sup>1</sup> *University Commission Report* (1852), p. 102.    <sup>2</sup> *Ibid.* p. 89.    <sup>3</sup> *Ibid.* p. 81.

their own hands, it was possible that these University lecturers, however great their attainments and however carefully selected,<sup>1</sup> might have very small classes; and not the least interesting, and certainly the most daring, feature of the scheme was its provision against the danger of a tutorial boycott. Until they had passed the Previous Examination, undergraduates were to be instructed exclusively by the colleges, but afterwards, when they were preparing for their final examination, by the Professors and University lecturers. But the arguments in favour of this division of labour were not likely to appeal to the colleges, who would bitterly resent being relegated to the ignoble task of preparing their students for the most elementary of all the examinations.

But it was not only their liberty to teach that was imperilled. The Commissioners expressed the opinion that the colleges should contribute out of corporate revenue to the support of the Professors and lecturers, and that part of the stipends of the latter should be a charge upon the tuition fees paid by undergraduates.<sup>2</sup> The idea of taxing the colleges for the benefit of the University had been suggested by some of those who gave evidence before the Commission; but it had never before been seriously considered, and it was certain to be fiercely denounced as confiscatory in principle and a gross violation of the rights of property.

Another financial problem was to find the money for the additional lecture-rooms, laboratories and museums that were so greatly needed. "The provision of lecture-rooms belonging to the University", reported the Commissioners, "is insufficient, even for the existing staff of Professors";<sup>3</sup> and that insufficiency would of course be greatly increased by the creation of ten new professorships and a host of University lecture-ships. Moreover, some of the laboratories and museums were merely makeshifts;<sup>4</sup> and, until these conditions were remedied, the University could not expect to have a flourishing natural science school. An ingenious expedient for meeting the cost of remedying these deficiencies was proposed. The State paid the stipends of certain Professors, which

<sup>1</sup> The lecturers were to be appointed by the Board of Studies superintending their particular branch of learning.

<sup>2</sup> The proposal was that the tuition fee should be divided into two parts, "one of which should be devoted to the remuneration of the college Tutor, acting in the capacity of sponsor or guardian of the student's conduct, and the other should be appropriated to defray the cost of his instruction, being paid to the college up to the time of passing the general preliminary examination, and afterwards to the University for the maintenance of the staff of Public Lecturers". *University Commission Report* (1852), p. 82.

<sup>3</sup> *Ibid.* p. 80.

<sup>4</sup> *Ibid.* p. 117.

amounted in all to slightly over one thousand pounds, but received from the duties paid on matriculation and admission to degrees an income of about three thousand pounds. These duties were not a charge upon the University, as they were included in the matriculation and degree fees; and the Commissioners suggested that if the State would remit the duties in return for being relieved of the payments to some of the Professors it had hitherto supported, the University would be able "by the fees, which it might still continue to charge upon its students and graduates, to raise a fund adequate for the erection and maintenance of suitable lecture-rooms, museums and laboratories".<sup>1</sup>

Thus the Commissioners outlined a bold plan of educational reform for the University, but they dealt with the colleges far more tenderly. They lauded the collegiate system as a mainstay of discipline, and found little fault with it. They admitted, indeed, that there were objections to the accommodation of so many undergraduates in lodgings; and suggested that it might be advantageous if, "in connexion with and dependence (*sic*) on the colleges, there were hostels or public buildings established for the reception of students under a system of closer inspection and stricter control than can be attained while they are dispersed in private lodgings throughout the town".<sup>2</sup> But further they would not go, definitely refusing to follow the lead of the Oxford Commissioners who had recommended that it should be made possible for undergraduates not to be attached to any college. "The two systems of collegiate and unattached students", they remarked in their report, "seem to us to be hardly compatible with one another; at least we cannot doubt that great difficulties would be experienced in blending them harmoniously together, if the class of students not affiliated to some collegiate body were recognised, and afterwards received any considerable accession of numbers."<sup>3</sup> Their unwillingness to recommend an experiment, which would certainly reduce the cost of a University education, was a great disappointment to the Prince.<sup>4</sup>

They also found no fault with the award and tenure of college emoluments;<sup>5</sup> and it is particularly noteworthy that they were content that Fellows should be required to remain celibate and take Holy Orders, and not be obliged to reside. They, however, did not think it desirable

<sup>1</sup> *University Commission Report* (1852), p. 140.

<sup>2</sup> *Ibid.* p. 19.

<sup>3</sup> *Ibid.* p. 143.

<sup>4</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. II, pp. 223-224.

<sup>5</sup> *University Commission Report* (1852), pp. 156, 170.



that the tenure of college emoluments should be incompatible with the possession of a private income of more than a certain amount, and that the Fellows of certain colleges should be compelled to proceed to the degree of Bachelor of Divinity. They were also very critical of allowing other than intellectual considerations to count in the award of fellowships and scholarships, rightly regarding restrictions such as founder's kin or birth in a certain district as quite indefensible; but they made one reservation. In some of the colleges certain scholarships and even fellowships were appropriated to particular schools, and although in principle this was undesirable as it prevented free competition, in practice it had the advantage of enabling the colleges to establish a close connection with certain schools, and of enabling those schools to attract promising pupils. The Commissioners therefore suggested that "exhibitions conferred by the authorities of the school on scholars proceeding to the college should be accepted in lieu of the existing claims to fellowships and scholarships".<sup>1</sup> The intention was clearly to maintain the connection between the schools and the colleges, and at the same time to insure that fellowships and scholarships were worthily bestowed.

What, however, is most remarkable is the absence of any comment in the report upon the power enjoyed by the Heads of Houses, which of late years had been so much resented. Nor, except in one or two instances, did the Commissioners suggest any change in the modes of their appointment. Thus, though they expressed the opinion that the Fellows of Peterhouse might be permitted freely to elect their Master, instead of having to present two candidates to the Bishop of Ely who selected one of them, they did not recommend any modification of the provisions which prescribed that the Master of Trinity should be appointed by the Crown, the Master of Magdalene by the owner of Audley End, the Master of Jesus by the Bishop of Ely, and the Master of Downing by the two Archbishops, the Master of Clare and the Master of St John's. Though they held that as a general rule the Head of a House ought to be appointed by the Fellows, they did not consider that "a departure from the declared will of the several founders in so important a particular was justified".<sup>2</sup>

They did not, however, think that the same sanctity attached to the rule that the Master of Gonville and Caius should be a native of the

<sup>1</sup> *University Commission Report (1852)*, p. 184.

<sup>2</sup> *Ibid.* p. 153. The Commissioners also commented upon the inadequate stipends which some of the Heads received. *Ibid.* pp. 153-156.

diocese of Norwich; and they were nearer the truth than perhaps they realised. The authoritative copy of the first operative statutes, which were compiled by William Bateman, Bishop of Norwich, contains no such provision; but in another version of them, which is certainly not later in date than the latter half of the fifteenth century, there is a clause which prescribes that the Master should be "socius ejusdem Collegii, si ad hoc reperiatur idoneus, aut alius nostrae Diocesis famosus". Only a preference was thereby given in case of equality to a native of the diocese of Norwich; but this was considered to be enough to justify Dr Caius, who in 1557 was empowered by the Crown to make additional statutes for the college, provided that they did not contravene the statutes of Bishop Bateman, in ordaining that the Master should be of the diocese of Norwich. Indeed, his right to convert a preference into an absolute restriction was unchallenged for nearly three centuries;<sup>1</sup> and although in the nineteenth century the Fellows of Caius began to resent this limitation of their choice of a Master, they would probably have continued to regard it as legally binding if they had not made the discovery that "the clause of Bishop Bateman's statutes, . . . giving a preference in the election of Master and Fellows to natives of the Norwich diocese, is not found in the old statute deed which is preserved in the College Treasury".<sup>2</sup>

Though apparently the Commissioners were not aware of this discovery,<sup>3</sup> they were yet of the opinion that the restriction imposed by Dr Caius should be removed, partly as being in excess of the power granted to him, but mainly because of the "prejudicial consequences which are entailed upon the society by so far narrowing the field of choice in the election of its most important officer".<sup>4</sup> But they only contemplated future action by constituted authority; and must have been as much surprised as the University by what happened after the death of the Master, Dr Chapman, on 23 October 1852. It was generally assumed that his successor would be either Sir Edward Alder-

<sup>1</sup> J. Venn, *Biographical History of Gonville and Caius College*, vol. III, pp. 352-353.

<sup>2</sup> Letter signed "Olim Socius" in the *Cambridge Chronicle* of 11 December 1852.

<sup>3</sup> In a pamphlet entitled *Statement of Proceedings taken with reference to the Election of Master in Gonville and Caius College*, by J. J. Smith and J. R. Crowfoot (1854), it is stated that Dr Chapman had been informed of the discovery of the authoritative copy of Bishop Bateman's statutes. Dr Chapman, however, made no reference to it in the statement he submitted to the Commissioners, and their comments do not suggest that they were aware of it. *University Commission Report* (1852), p. 153, Correspondence and Evidence, p. 325.

<sup>4</sup> *University Commission Report* (1852), p. 153.

son or Dr George Paget, who were both former Fellows of Caius and natives of the diocese of Norwich, and as Paget was one of the most popular men in Cambridge, he was thought the more likely of the two to be elected.<sup>1</sup> But there was a party among the electors who were determined to challenge the legality of a limitation they much disliked, and they therefore decided to vote for Edwin Guest, who had no connection with the diocese of Norwich; and Guest, after a contest so close as to drive him to vote for himself, was elected.<sup>2</sup> A controversy followed, and it was asserted that even if the restriction of the mastership to natives of Norwich diocese was not legally binding, the electors were not in order in disregarding statutes which they had sworn to obey; but Guest remained in possession of his hardy won office.<sup>3</sup>

Enough has perhaps been said to show that the report of the Commission was in no way an indictment of the University. Several defects were pointed out and several improvements suggested; but commendation was not withheld. The University was praised for its readiness to enlarge the cycle of its studies, to change its statutes, and to expend its revenue upon objects of great academical importance. Moreover, though the need of reforming collegiate statutes was stressed, it was remarked that "many of the colleges . . . have sought wholesome modifications of their statutes, given up valueless . . . privileges", and at no small sacrifice extended their buildings.<sup>4</sup> Indeed, in the peroration of the report, which was written by Adam Sedgwick,<sup>5</sup> the University is depicted as the happy possessor of almost superabundant virtue and vitality.

"What above all things gives us hope for the future good of Cambridge", the Commissioners are made to say, "is the manly, free and truth-loving character of her sons, springing, in part at least, from her collegiate system, the character of her studies, and the uprightness of her administration, pro-

<sup>1</sup> Diary of J. Romilly, 4 November 1852.

<sup>2</sup> J. Venn, *Biographical History of Gonville and Caius College*, vol. III, p. 142.

<sup>3</sup> "That any doubt, if it can be said to exist, whether Dr Caius had a right to impose this restriction by the statutes, cannot affect the matter. For it is not open to those, who have voluntarily undertaken upon oath to obey statutes, to dispute the authority of those who made them; and this question, if it be a question of interpretation, is one proper only for the Visitor." J. J. Smith and J. R. Crowfoot, *Statement of Proceedings taken with reference to the election of Master in Gonville and Caius College in 1852* (1854). See also J. Venn, *Biographical History of Gonville and Caius College*, vol. III, p. 143.

<sup>4</sup> *University Commission Report* (1852), p. 201.

<sup>5</sup> "From Bateson I heard that Sedgwick was so tender-hearted that he broke down in reading his own peroration to the Commissioners"—Diary of J. Romilly, 29 October 1852.

ducing in return confidence and good-will on the part of those committed to her care. In all her members she believes that she possesses a body of men who, strong in their historical remembrances, cling to what is truly good, would seek for no needless change, and would admit of no change which had not the fair promise of scientific, moral and religious benefit."<sup>1</sup>

But the sugar was not sufficient to disguise the bitterness of some of the ingredients of the medicine which the Commissioners prescribed. Much anger was caused by the recommendation that the colleges should financially contribute to the support of the University. Whewell described the proposal as "a violation of the ordinary rules of property so strong, as to belong only to times of revolution and confiscation", and, as though the cloak of Hampden had fallen upon him, declared that "taxation, without representation and consent on the part of the parties taxed, is now universally allowed to be intolerable tyranny".<sup>2</sup> But even greater alarm must have been provoked by a passage in the report which outlined a programme for the immediate future. It was unquestionable that many of the suggested reforms required parliamentary sanction, but the Commissioners did not think that it would be enough if Parliament was merely called upon to give statutory authority to such reforms as the University and colleges might decide to make. "If Parliament", they said, "should entertain the question of the reform of the University and its colleges, it seems to us that it would be convenient to lay down in an Act of the Legislature the principles upon which such reforms should be conducted, and to entrust a Board with temporary powers necessary for carrying them into effect."<sup>3</sup>

This was just what had been feared—a Statutory Commission, armed with coercive powers and equipped with a programme of reform. But as yet it was only a fear. It was possible that the University might be allowed to prepare a scheme of reform based on the recommendations of the Royal Commission, and that Parliament would intervene no further than to remove any legal obstacles in the way; for Lord John Russell's ministry had been succeeded in February 1852 by Lord Derby's administration, which was likely to be more favourably disposed towards the Universities. Certainly the allusion to the Commission's report in the speech from the throne at the opening of Parliament in November 1852 was definitely encouraging. "I rely",

<sup>1</sup> *University Commission Report* (1852), p. 203.

<sup>2</sup> Draft Memorandum by Whewell, 5 November 1852, Whewell Papers.

<sup>3</sup> *University Commission Report* (1852), p. 199.

said the Queen, "upon your readiness to remove any difficulties which may impede the desire of the Universities at large, or of the several colleges, to introduce such amendments into their existing system as they may deem to be more in accordance with the requirements of the present time." But it was also possible that this gleam of sunshine might be only transient; for Lord Derby's Ministry was threatened by a coalition between the Whigs and Peelites, and political prophets were already beginning to predict its speedy downfall.

But whatever the future had in store, it was imperative that the University should attempt to remould itself nearer to the desire of the Commissioners. The Revising Syndicate therefore resumed its sittings, and modified some of its earlier proposals in accordance with the criticisms passed upon them in the Commissioners' report. They agreed, for instance, to allow Licentiates in Theology to proceed to the degree of Bachelor of Divinity, accepted the suggestion that the exercises should be regulated by ordinance instead of by statute, and recommended that no person should be eligible for the proctorship who had not kept by residence at least three terms during the previous two years;<sup>1</sup> but they refused after a stormy debate to propose the abolition of the individual veto in the Caput.<sup>2</sup> The syndicate published these modifications of their original proposals on 30 November 1852; and, as there was no reason for further delay, it was arranged that their several reports should be submitted to the Senate in the following February.

A few days later, further steps were taken. On 13 December the Vice-Chancellor announced that on the following 2 February the Senate would be asked to approve the appointment of two syndicates: one for the consideration of measures for augmenting the existing means of instruction by "Public Professors and Public Lecturers", and the other for the consideration of necessary measures for the erection of additional lecture-rooms and museums.<sup>3</sup> The Studies Syndicate, as

<sup>1</sup> The syndicate had some difficulty in agreeing about the Licentiates, and apparently there was a party in favour of allowing the Ten-Year men to continue. Diary of J. Romilly, 16, 27 November 1852. The Commissioners had recommended that no person should be eligible to the office of Proctor "who has discontinued his residence, and been absent from the University for a period of two years immediately antecedent to the time of election"—*University Commission Report* (1852), p. 10.

<sup>2</sup> *Ibid.* 2 November 1852. The syndicate were unable to agree on a proposal to abolish the office of Taxor, and decided to defer further consideration of the question until the syndicate, appointed to confer with a committee of the Town Council on the privileges of the University, had reported. *Ibid.* 20 November 1852.

<sup>3</sup> University Papers, University Library, C. 1, A.C. 206.

the former came to be called, would of course be obliged to examine the suggestion of the Commissioners that "the fund for paying the proposed Public Professors and Lecturers should be supplied by the several colleges"; and on this account the Vice-Chancellor decided "to give every college a voice in the deliberations",<sup>1</sup> and to ask the Senate to approve the appointment of a syndicate, consisting of fifteen Heads of Houses, the three Regius Professors of Divinity, Law and Physic, and twenty-two other members of the Senate, "one or more being taken from every college".<sup>2</sup> As such a large and unwieldy body could not possibly act expeditiously, and might possibly even fail to accomplish anything, it is not surprising that while the Grace for the Lecture-rooms and Museums Syndicate passed the Senate easily, that for the Studies Syndicate encountered formidable opposition. It had, indeed, a narrow escape from rejection, only passing the Regent House by twenty-five to nineteen votes;<sup>3</sup> but this demonstration of hostility, as Dr Philpott explained to the Prince, was not directed against educational reform. "I should be sorry to think", he wrote, "that this opposition represents the strength of objections against the proposal to consider the recommendations of the Commissioners, or against the recommendations themselves: and, indeed, I have reason to believe that the opposition was directed more against the constitution of the syndicate than any other point."<sup>4</sup>

But the machinery for reform is not the same thing as reform, and the fate of the University was still hanging in the balance. Nor was its fate in its own hands; for, even if it carried out most of the recommendations of the Royal Commission, the Government might yet decide to appoint a Statutory Commission.

<sup>1</sup> Dr Philpott to Colonel Grey, 2 February 1853, Royal Archives, Windsor Castle.

<sup>2</sup> Remarks by the Vice-Chancellor on the Report of the University Commission, 1 March 1853, *ibid.*

<sup>3</sup> Dr Philpott to Colonel Grey, 2 February 1853, Royal Archives, Windsor Castle. A Grace for the prolongation of the Studies Syndicate, offered to the Senate on 25 May 1853, was only carried in the Regent House by twenty votes to fourteen. Grace Paper for 25 May 1853, University Papers, University Library, A.C. 206.

<sup>4</sup> Dr Philpott to Colonel Grey, 2 February 1853, Royal Archives, Windsor Castle.

## Chapter XII

### BETWEEN THE TWO COMMISSIONS

ON 15 February 1853 and the three following days all except two or three of the many recommendations of the Revising Syndicate were voted upon in the Senate.<sup>1</sup> Only seven of them, of which none were of fundamental importance, were rejected, and not always because they were objected to in principle. The proposal, for instance, to substitute Licentiates in Theology for the Ten-Year men was lost, because many members of the Senate considered that the creation of an entirely new title, being purely experimental, should be effected by ordinance and not by statute; and much the same sort of argument was advanced against the recommendation to require residence during at least two-thirds of a term, which also was not approved.<sup>2</sup> The recommendation that graduates of other Universities than Oxford and Dublin should be allowed to incorporate, though approved in principle, was also not accepted, because it was deemed advisable to enumerate the Universities to which this privilege should be extended;<sup>3</sup> and the Senate certainly showed far more wisdom than the syndicate in refusing to allow a voter, who was suspected of having left the English Church, to be forced to declare that he still adhered to the subscription he had made when admitted to his last degree. Those who objected to this most inquisitorial mode of insuring the Anglican purity of the Senate approved its purpose, but rightly contended that a person should not be called upon to make a profession of faith at a time "when it would seem desirable that the call should not be made, namely a possible time of great public excitement".<sup>4</sup>

<sup>1</sup> The recommendations about the degrees of Bachelor of Laws and Doctor of Medicine were not brought before the Senate, as coming within the province of the recently appointed Studies Syndicate. Dr Philpott to Colonel Grey, 14 February 1853, Royal Archives, Windsor Castle.

<sup>2</sup> Fly-sheets dated 15 and 16 February 1853, University Papers, University Library, C. 1, D.C. 8550.

<sup>3</sup> Fly-sheet dated 16 February 1853, University Papers, University Library, H. 26.

<sup>4</sup> Fly-sheet dated 17 February 1853, University Papers, University Library, D.C. 8550. The other recommendations rejected were for the abolition of the *commorantes in villa*, for reducing the number of Esquire Bedells to two, and for allowing Licentiates

Possibly an event in the political world smoothed the passage of these reports. Lord Derby's ministry had resigned after a defeat in the House of Commons on 18 December 1852, and had been succeeded by a coalition cabinet under Lord Aberdeen. As the new administration included Lord John Russell, and was almost entirely dependent upon Whig support, the outlook for the Universities was not rosy; and Prince Albert certainly acted wisely in calling upon the Vice-Chancellor for a "statement of the steps which the University has taken with regard to the report" and in passing on the information he received to Lord John Russell on 4 March 1853.<sup>1</sup> In a covering letter to the Prince, the Vice-Chancellor pointed out that his statement was "not intended to represent the whole case which the University would have to offer if she were drawing up one in deprecation of external interference with her course of gradual improvement";<sup>2</sup> but, even if it had been more detailed, it seems unlikely that Lord John would have been impressed. He allowed more than three weeks to elapse before acknowledging the Prince's communication, and then, somewhat curtly, replied that he would not know until after the Cabinet meeting on Saturday, 2 April,

in Theology to proceed to the degree of Bachelor of Divinity. C. H. Cooper, *Annals*, vol. v, pp. 107-109.

In a further report, dated 27 May 1854, the syndicate, in order to meet the criticism mentioned above, proposed that "in the computation of terms kept by any student, no term shall be accounted to have been kept, in which he has not resided during such part thereof as is prescribed by the University, and that such part shall be at least the greater part" and also that "Graduates of any other University, as well as those of Oxford and Dublin, may be admitted to titular degrees, corresponding to the degrees which they bear in their own University, provided that such privilege has been previously conceded to their University by special Grace of the Senate". Both these recommendations were approved by the Senate on 27 October 1854.

Moreover, as in May 1854 the Senate had, on the recommendation of the Studies Syndicate, ruled that the degrees of Doctor of Laws and Doctor of Physic should henceforth not be taken *per saltum*, the Revising Syndicate in the report of 27 May 1854 proposed the repeal of the Grace, passed on their recommendation in February 1853, restricting but not abolishing the right of taking the degree of Doctor of Divinity *per saltum*, and in place of it recommended that no one, except a few privileged persons, should be able to become a Doctor of Divinity without having been a Bachelor of Divinity. These recommendations were also approved by the Senate on 27 October 1854. C. H. Cooper, *Annals*, vol. v, pp. 176-177; Grace Book, 27 October 1854, University Registry.

<sup>1</sup> Prince Albert to Lord John Russell, 4 March 1853, Royal Archives, Windsor Castle.

<sup>2</sup> Vice-Chancellor to Prince Albert, 1 March 1853; Remarks by the Vice-Chancellor on the Report of the University Commission, 1 March 1853, Royal Archives, Windsor Castle.



what policy towards the Universities the Government intended to pursue.<sup>1</sup>

He was better informed on Monday, 4 April, when he expounded the ministerial views in the House of Commons. He stated that the Government did not intend to take further action until the Universities had had sufficient time to make such improvements as they might think necessary; but he emphasised that these improvements could only be accepted as adequate if they conformed to certain principles upon which the Ministers were agreed. It was essential, he declared, that the Universities should have a more representative form of government, that they should be able to admit students without requiring them to be attached to a college, that fellowships should cease to be sinecures and be open, as far as possible, to free competition, and that a "greater part of the incomes and revenues of the colleges should be devoted to purposes of instruction, such as to giving additional incomes to Professors, or applied in other modes most conducive to giving instruction in the Universities". These principles, he declared, the Government intended to enforce.

"If the Universities", he said, "adopt them, and carry them into effect as far as they can, and apply to Parliament for powers to carry them out still further, we shall be happy to see them arrive at that consummation; but, if they should not do so, if there should be persons who are still deterred by their prejudices from making any, even the most useful, alterations, it will then be our duty as the Government not to hesitate, but to bring in such measures as we may think absolutely necessary for the expediency of the case."<sup>2</sup>

It was a minatory speech, and though the Chancellor of the Exchequer, Gladstone, who only a few years before had eloquently defended the Universities against the State, endeavoured to represent it as a gracious overture, he was not particularly successful. The Universities were presented with an ultimatum which must be accepted by a date to be determined by the Government; and some of the demands of that ultimatum would be most unacceptable, even to advanced academic reformers. Moreover, Lord John had hinted, not obscurely, that a further demand might be made. "Another object", he remarked in the course of his speech, "which, I think, we should have in view, is that when fellowships in the Universities are attained by students, the distinction

<sup>1</sup> Lord John Russell to Prince Albert, 29 March 1853, *ibid.*

<sup>2</sup> *Hansard*, 3rd Series, vol. cxxv, pp. 522 ff.

should not be held for life, but only for a certain period"; and in Cambridge at least, and possibly also in Oxford, it was almost universally held that if fellowships ceased to be tenable for life, they would lose nearly all their attractions and most of their value and usefulness.

Probably Lord John Russell and his colleagues were already convinced that a Statutory Commission for both Universities was an indispensable necessity. Nor were they likely to be shaken in that belief by the progress in reform at Cambridge. The Vice-Chancellor, for instance, was guilty of exaggeration when he informed the Prince in November 1853 that "in several of the colleges a spirit of improvement has prevailed";<sup>1</sup> for though in the summer of that year the Master and Fellows of Christ's had agreed upon a draft of revised statutes,<sup>2</sup> and St John's, much about the same time, appointed lecturers in moral and natural sciences, and raised the number of Assistant Tutors from four to eight,<sup>3</sup> the other colleges did little or nothing beyond aimlessly discussing what changes they could safely introduce.

Also it was over a year before the Studies Syndicate, though meeting frequently, produced a report;<sup>4</sup> and the long delay evoked criticism.

"It is called in mockery", wrote Sedgwick, "the 39 Articles,<sup>5</sup> and I verily believe that it has done *nothing*. After the report of the University Commission came out, it was appointed, and started, if fame can tell truth, in good earnest. Afterwards the 39 Articles 'turned their tracks upon themselves' (as was once said in the House of Commons), and were in terror at the sight of their own work. And so, to mend matters, pulled it down to the ground, so that all is again at the perfect level of stagnation."<sup>6</sup>

This is a malicious and exaggerated account, but not without a substratum of truth.<sup>7</sup> Whewell, who was a very active member of the

<sup>1</sup> Vice-Chancellor's account of proceedings in the University of Cambridge, 2 November 1853, Royal Archives, Windsor Castle.

<sup>2</sup> Dr Cartmell to Colonel Grey, 24 August 1853, *ibid.* In October 1853 the college agreed to petition the Queen to approve the new statutes, but the law officers of the Crown "practically declined to grant the facilities required, on the ground that, as action was now imminent, it was better that all the colleges should be dealt with together". J. Peile, *Christ's College* (1900), p. 283.

<sup>3</sup> H. J. Roby, *To the Master and Fellows of St John's College* (January 1857).

<sup>4</sup> The report is dated 30 March 1854.

<sup>5</sup> There were thirty-nine members of the syndicate.

<sup>6</sup> Adam Sedgwick to Colonel Grey (undated), Royal Archives, Windsor Castle.

<sup>7</sup> In another letter to Colonel Grey, dated 10 January 1854, Sedgwick confessed that his account of the Studies Syndicate was exaggerated, and that he had been misled by gossip. Royal Archives, Windsor Castle.

syndicate, reported in May 1853 that "as yet we have made not much progress";<sup>1</sup> and in the March following Dr Philpott admitted that "there are so many members of the syndicate skilful in raising objections, and indisposed to help in making progress, that it is difficult to say when the report may be published".<sup>2</sup> The syndicate, however, which had been appointed to consider the recommendations of the Commissioners for the provision of additional lecture-rooms and museums, made better progress; and in a report, dated 31 December 1853, proposed that the well-known architect, Anthony Salvin, should be asked to design a building on the site left vacant by the removal of the Botanic Gardens, which should contain a large lecture theatre, at least three lecture-rooms and several museums.<sup>3</sup> But when it was discovered that the cost of this scheme would be about twenty-three thousand pounds, any hopes of its speedy execution were dashed to the ground. The University could not afford to give more than about a fifth of this sum; and as a general appeal was considered inadvisable,<sup>4</sup> and an appeal to the colleges met with a most disappointing response,<sup>5</sup> it was decided in 1855 to postpone action until the finances of the University had substantially improved.<sup>6</sup>

But long before this the patience of the Government had run out. On 12 December 1853, that is, before either the Studies Syndicate or the Lecture-rooms and Museums Syndicate had reported, the Home Secretary, Lord Palmerston, addressed a letter to Prince Albert, announcing that in the opinion of the Government the time had now come to determine "the degree and nature of the legislation respecting the

<sup>1</sup> William Whewell to J. C. Hare, 26 May 1853, Whewell Papers.

<sup>2</sup> Dr Philpott to Colonel Grey, 9 March 1854, Royal Archives, Windsor Castle. In the previous Michaelmas term Dr Philpott had been more hopeful about the syndicate, but in June 1853 he was very despondent. See his letters to Colonel Grey of 16 June 1853, and 4 November 1853, *ibid.*

<sup>3</sup> Willis and Clark, *Architectural History of the University of Cambridge*, vol. III, pp. 157 ff.

<sup>4</sup> In a letter to General Grey of 3 November 1854, the Vice-Chancellor mentioned that Prince Albert had offered to contribute, but that some of the Heads were opposed to a general appeal. Royal Archives, Windsor Castle.

<sup>5</sup> Trinity undertook to contribute four thousand pounds if "a sum sufficient for carrying out the scheme can be raised by the contributions of the colleges", and by May 1855 seven other colleges had also promised contributions on similar conditions; but the total sum offered only amounted to nine thousand pounds. Trinity College Conclusion Book, 30 October 1854; Vice-Chancellor's notice, 31 May 1855, University Papers, University Library, F. 51.

<sup>6</sup> Willis and Clark, *Architectural History of the University of Cambridge*, vol. III, p. 169, and note 2. It was not until 1860 that any further steps were taken.

Universities, which it might be requisite to submit to Parliament", and that therefore he wished to know what measures of improvement the University and the colleges intended to adopt, and "what aid they may desire from Parliament, in the form either of prohibitions, of enabling powers or of new enactments". He further reminded the Prince that Lord John Russell, in his speech in the House of Commons on 4 April, had referred "to some essential points, with respect to which her Majesty's Government conceived that it would be the desire and expectation of Parliament, with a view to the public welfare and to the extension of the useful influence of the Universities, that plans of improvement should be entertained"; and, in order to avoid misunderstanding, he proceeded to set out those essential points, slightly amplified, in tabular form.

I. An alteration of the constitution of the Universities, with a view to the more general and effective representation of the several main elements which properly enter into their composition.

II. The adoption of measures which might enable the Universities, without weakening the proper securities for discipline, to extend the benefits of training to a greater number of students, whether in connexion or not with colleges and halls, and also to diminish the relative disadvantages which now attach within colleges and halls to students of comparatively limited means.

III. The establishment of such rules with regard to fellowships and to the enjoyment of other college endowments, as might wholly abolish or greatly modify the restrictions which now, in many cases, attach to those fellowships and endowments, and might subject the acquisition of such fellowships and endowments generally to the effective influence of competition.

IV. The establishment of such regulations with regard to fellowships thus to be acquired by merit, as should prevent them from degenerating into sinecures, and especially the enactment of a provision that after fellowships should have been held for such a time as might be thought reasonable as rewards for early exertion and distinction, they should either be relinquished, or should only continue to be held on condition of residence, coupled with a discharge of active duty in discipline or tuition, or with the earnest prosecution of private study.

V. And, lastly, the establishment of provisions under which colleges, possessed of means, either particularly ample or now only partially applied to the purposes of education or learning, might, in conformity with views which founders have often indicated, render some portion of their property available

for the general purposes of the University beyond as well as within the college walls, and might thus facilitate the energetic prosecution of some branches of study, the importance of which the University have of late distinctly and specially acknowledged.<sup>1</sup>

This intimation that the Government might be taking action in the near future, and intended to insist upon reforms most unacceptable to the colleges and the University,<sup>2</sup> was communicated by the Prince to the Vice-Chancellor, with a request for "such information as will enable me to answer in detail the questions which have been addressed to me on the part of Her Majesty's Government".<sup>3</sup> The Vice-Chancellor very promptly took the appropriate action. After consulting the other Heads of Houses, he decided that a syndicate should be appointed to supply the information required of the University, and that a copy of the letter should be sent to each college, "for the purpose of obtaining the requisite information from the colleges respectively".<sup>4</sup>

The replies of the colleges unmistakably indicated that some of the five essential points, if seriously pressed, would meet with determined opposition. In nearly all their answers, the admission of students unattached to any college is declared to be not only incompatible with discipline, but quite unnecessary, as the college dues were extremely moderate, extravagance was discouraged, and poor men of ability could gain scholarships and sizarships. The strongest objection was also taken to a limitation of the tenure of fellowships, which likewise was declared to be unnecessary, for, being always vacated by marriage and generally by the acceptance of a benefice, they were not usually held for very long: it was pointed out, for instance, in the Trinity answer that the average tenure of a fellowship of that college was less than twelve years.<sup>5</sup> Nor was there any general willingness to contribute to the financial support of the University, as it was alleged that the colleges were not

<sup>1</sup> *Correspondence respecting the proposed Measures of Improvement in the Universities and Colleges of Oxford and Cambridge*, Part II (1854); see also C. H. Cooper, *Annals*, vol. v, pp. 135-137.

<sup>2</sup> Diary of J. Romilly, 19 December 1853; G. Airy to W. Whewell, 27 February 1854, Whewell Papers.

<sup>3</sup> Prince Albert to Dr Geldart, 14 December 1853, Royal Archives, Windsor Castle.

<sup>4</sup> Dr Geldart to Colonel Grey, 18 December 1853, *ibid.*

<sup>5</sup> "The number of fellowships being sixty", it was argued in the Trinity answer, "the average number of vacancies each year is rather more than five; which shows that the average tenure of a fellowship is less than twelve years."

morally justified in using their funds for such a purpose.<sup>1</sup> Indeed, the abolition of the restrictions upon the award of emoluments was the only one of the five points which was generally approved; and its favourable acceptance is not surprising, as all the colleges were anxious to attract able undergraduates.<sup>2</sup>

The syndicate appointed to prepare the answer of the University had in a way an easier task, as they were concerned with only the first two of the five points. They explained that the desire of the Cabinet for the establishment of a more representative form of University government was adequately met by the scheme for the institution of a Council, which, having been approved by the Senate, only required the sanction of the Crown to become operative. They further contended that the proposal for the admission of undergraduates unattached to any college could not "be adopted without seriously weakening the proper securities for discipline, and depriving the students, who might be so admitted, of much that is of great value in the present system of academical education"; and they pertinently remarked that the Commissioners had come to the same conclusion. They also endeavoured to show that the University was very actively engaged upon the task of reform: the greater part of a revised statutory code had been passed by the Senate, and syndicates had been appointed to consider the more important recommendations of the Commissioners. But the offer in Lord Palmerston's letter of parliamentary assistance, "in the form either of prohibitions, of enabling powers or of new enactments", was their greatest difficulty. The offer had not been made in connection with any particular reform, and an unrestricted acceptance of it might well be interpreted as a request for the appointment of a Statutory Commission armed with wide, coercive powers. But it could be neither absolutely refused nor left unnoticed, for some of the reforms, which the University was prepared to make, would need to be legalised by Parliament. The syndicate were therefore extremely cautious. They explained that the foundation deeds of some of the professorships and University lectureships ought to be revised, and that *for this purpose* it would be desirable "if enabling powers, to be exercised for a limited term, were given by an Act of the legislature to a board of persons, who should deserve the

<sup>1</sup> Trinity was prepared to consider a scheme of contributions by all the colleges "on a common scale".

<sup>2</sup> *Correspondence respecting the proposed Measures of Improvement in the Universities and Colleges of Oxford and Cambridge, Part II* (1854).

confidence of the University and of the country, in the execution of a work requiring the greatest care and prudence, and an intimate acquaintance as well with the wants and duties of the University, as with its constitution and government".<sup>1</sup>

But although this answer was unanimously approved by the Senate,<sup>2</sup> it did not escape criticism. Its assertion that the University would enjoy representative government when the Council came into being, was directly contradicted in an address to Lord Palmerston signed by forty-three graduates. Five of the seventeen members of this Council, it was argued in this manifesto, would be representatives of the Heads of Houses, three would be representatives of the doctors, though there were not more than about a dozen doctors in residence, and the Governing Bodies of the colleges, who were to choose the Regent and Non-Regent members, sometimes only consisted of the Master and a few senior Fellows, and never included members of the college who were not Fellows. "With the above points of the scheme prominently before us", declared the signatories, "we can entertain no other opinion than that it totally fails to secure 'the more general and effective representation of the several main elements which properly enter into the composition of the University'; and we venture to hope that your Lordship will in your proposed measure of University reform adopt in its stead one better framed to meet this requirement".<sup>3</sup> It is unlikely that the Government paid much attention to this appeal from a small and undistinguished party,<sup>4</sup> though the opinions it expressed were before long to be more widely and influentially supported.

But neither was the Government influenced by the objections taken by both Universities to its scheme of academical reform. On 17 March 1854 Lord John Russell moved for leave to introduce a Bill for the "good government and extension of the University of Oxford and of the colleges therein"; and delivered a lengthy and important speech. He announced that the Bill would appoint Commissioners who, until the Michaelmas term, 1855, would have authority to approve statutes framed by the University and the colleges, provided that these statutes conformed with the provisions of the Bill; but that, if after that date "the University and colleges are held not to have performed that which

<sup>1</sup> *Correspondence respecting the proposed Measures of Improvement in the Universities and Colleges of Oxford and Cambridge*, Part II (1854).

<sup>2</sup> Diary of J. Romilly, 17 January 1854.

<sup>3</sup> C. H. Cooper, *Annals*, vol. v, pp. 157-160.

<sup>4</sup> It was not influentially supported, and not a single Fellow of Trinity signed it.

is expected of them, . . . the Commissioners shall have power to enact by statute rules in accordance with this Act, which rules, when they have been laid before the Privy Council, have been approved by Her Majesty, and have a for certain period been placed on the table of this House, shall have the force of law, and be binding as statutes on the University and colleges".<sup>1</sup> Lord John did not refer to the sister University; but on 6 April Lord Aberdeen, in reply to a question by Lord Lyndhurst, informed the House of Lords that the Government intended "to deal with the University of Cambridge on the same principle as that with which they dealt with the University of Oxford; but it was not the intention of the Government to bring forward any measure having reference to the University of Cambridge this session".<sup>2</sup>

The decision of the Government to apply coercion to venerable institutions, proud of their independence and convinced of their capacity to reform themselves, was bitterly resented; but its wisdom cannot be disputed. It is perfectly true that the University of Cambridge had not stood still during the previous half century; but its progress had been impeded by college jealousies and a natural reluctance to make violent departures from accustomed ways. And not long after Lord John Russell made his speech, evidence was forthcoming that these obstacles to a rapid and extensive advance still existed.

In March 1854 the Studies Syndicate published four reports which refuted the many rumours about the ineffectiveness of that body.<sup>3</sup> If they were accepted, the educational system of the University would be greatly improved. In accordance with the wishes of the Commissioners, there were to be Boards of Studies for classics, medicine, law, theology and for moral and natural sciences.<sup>4</sup> There was to be a Theological Tripos, upon which, as also upon the Classical, Natural Sciences and Moral Sciences Triposes, a candidate could obtain the degree of Bachelor of Arts with honours, without having passed any other examination than the Previous. Certain deficiencies in the law course were also to be repaired. Hitherto, it had been possible to qualify for a first degree in law by passing the Previous, fulfilling the requirement recently imposed upon ordinary degree candidates of attending for a single term a course

<sup>1</sup> *Hansard*, 3rd Series, vol. cxxxii, pp. 892 ff.

<sup>2</sup> *Ibid.* vol. cxxxii, pp. 490-491.

<sup>3</sup> Three of these reports appear in C. H. Cooper's *Annals*, vol. v, pp. 166 ff., and all of them are to be found among the University Papers, University Library, D. 21.

<sup>4</sup> A Board of Mathematical Studies had been established by a Grace of 31 October 1848: see p. 208.



of lectures by one of certain Professors and passing an examination on the course,<sup>1</sup> keeping a single act, and regularly attending for three terms the lectures of the Regius Professor of Civil Law and passing terminal examinations conducted by the Professor;<sup>2</sup> and the syndicate recommended that all candidates for the degree of Bachelor of Laws should be required to pass an examination in "Roman civil law, the constitutional and general law of England, international law and general jurisprudence", which should be a Tripos carrying honours. The syndicate also made other less important recommendations; they suggested the creation of an entirely new degree, that of Master of Laws, certain changes in the medical course, an increase of the requirements of the Previous Examination, and that it should be possible to proceed to the degree of Bachelor of Laws after residing for nine terms.<sup>3</sup>

Yet, though they had been appointed to consider the expediency of augmenting the existing means of tuition by Public Professors and Public Lecturers, they did nothing to promote such an increase beyond recommending that the Senate should petition Parliament to appropriate two Ely Canonries as an endowment for two new divinity professorships. Dr Philpott, who was a member of the syndicate, very rightly questioned "the propriety of asking for such help, without accompanying the request with some proposition for making better use of our own actual endowments";<sup>4</sup> but it is easy to understand why such a proposition was not made. The obvious, and perhaps the only, way of generally increasing the number of Professors and establishing University lectureships was to call upon the colleges for financial assistance; and such a demand would have been stoutly resisted. And the influence of the colleges made itself felt in another way. At an early meeting of the syndicate, a motion for the establishment of a University Entrance Examination was rejected by seventeen votes to eight.<sup>5</sup>

Yet, though there were other serious omissions, such as, for instance, the absence of any proposal for the improvement of the ordinary degree

<sup>1</sup> See p. 207.

<sup>2</sup> These examinations had been instituted by Professor Geldart on his own authority, and it was therefore open to any of his successors to discontinue them.

<sup>3</sup> Since 1684 only nine terms residence had been required of candidates for the degree of Bachelor of Laws, but it had not been possible to proceed to the degree until six years had elapsed from the beginning of residence.

<sup>4</sup> Dr Philpott to Colonel Grey, 28 March 1854, Royal Archives, Windsor Castle.

<sup>5</sup> Summary of the Proceedings of the University Studies Syndicate, 17 February 1853, Whewell Papers.

examination, the syndicate's scheme of educational reform was undoubtedly a notable achievement. But it was not entirely approved. When, with the exception of the proposal to petition Parliament to endow new divinity professorships, it was brought before the Senate on 2 and 3 May, the Graces for increasing the severity of the Previous Examination, establishing a Theological Tripos, creating Boards of Studies for theology, natural sciences and moral sciences, and for enabling the degree of Bachelor of Arts to be obtained by passing either the Natural Sciences or the Moral Sciences Tripos, were all rejected, and some of them very decisively. Dr Philpott ascribed the opposition partly to a want of confidence in the syndicate, and partly to an "unwillingness of the Senate to put any other studies on the same footing as the old established studies of mathematics and classics":<sup>1</sup> and he was much disappointed by this triumph of irrational prejudice. So also was Whewell who bitterly, though truly, remarked that the action of the Senate was "very little suited to give other persons a belief that we are fit to manage such matters for ourselves".<sup>2</sup> And the Prince was reported to be "astonished at the news".<sup>3</sup>

But this was not the only rebuff which the syndicate suffered. About a month before, the Senate had approved the recommendation that a petition should be presented to Parliament for the annexation of two Ely Canonries to two new divinity professorships;<sup>4</sup> but, as wise men had foreseen,<sup>5</sup> the Government, having decided to appoint Statutory Commissioners, refused to tie their hands. The petition, when introduced into the House of Lords on 26 May, met with a decidedly cool reception: the Prime Minister, Lord Aberdeen, declined to commit himself, and clearly did not intend to take immediate action.<sup>6</sup>

But the labours of the Studies Syndicate had not been entirely in vain. A Law Tripos and Boards of Classical and Legal Studies had been established; and it was no small gain that undergraduates, who wished to enter for the Classical Tripos, would not be obliged to waste their time over the ordinary degree examination. It was, moreover, found possible to repair some of the mischief which the Senate had done. As

<sup>1</sup> Dr Philpott to Colonel Grey, 3 May 1854, Royal Archives, Windsor Castle.

<sup>2</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 408.

<sup>3</sup> Adam Sedgwick to W. Whewell (undated), Whewell Papers.

<sup>4</sup> Diary of J. Romilly, 31 March 1854.

<sup>5</sup> Four Heads, including Philpott and Ainslie, voted against the Grace. *Ibid.*

<sup>6</sup> *Hansard*, 3rd Series, vol. CXXXIII.

the proposals for a Theological Tripos had been rejected, a syndicate was appointed on 17 May 1854 to consider theological studies; and their report, which is dated 20 November 1854, and was unanimously passed by the Senate on the following 6 December, recommended the creation of a Board of Theological Studies, and certain improvements in the Voluntary Theological Examination which, though honours were to be awarded on it, was still not to qualify for a degree.<sup>1</sup> This was obviously a much more insignificant reform than what had been shortly before attempted; and when Dr Philpott declared that "the measures thus adopted will lay the foundation of much improvement in this branch of study at the University",<sup>2</sup> he was possibly inspired by the hope of better things to come. Also, as the Studies Syndicate had made no recommendations about the ordinary degree examination, and those which they had made for the improvement of the Previous had been rejected, a syndicate was appointed on 31 May 1854 to consider both these examinations. A revision of the requirements of the Previous Examination was thought to be the more urgent need. The Studies Syndicate had recommended the addition of the third Book of Euclid and certain portions of algebra to those requirements, for, if undergraduates were to be allowed to qualify as candidates for honours in other subjects than mathematics by only passing the Previous, it was believed to be educationally sound to increase the severity of that examination as a mathematical test. The rejection of this proposal was probably due to the omission to discriminate between the candidates for honours and those for an ordinary degree, for the colleges did not wish to make the way of the poll men harder; and, taking a lesson from what had happened, the syndicate, appointed on 31 May, recommended that only candidates for honours should be required to satisfy the Previous Examiners in the fourth and sixth books of Euclid, elementary algebra and elementary mechanics;<sup>3</sup> and these recommendations, with others of less importance, were unanimously passed by the Senate on 7 February 1855. On the same day the Senate also approved, though not without opposition, the syndicate's proposals for making the ordinary degree examination more intensive by reducing the number of subjects which the candidates were required to

<sup>1</sup> Report of the Syndicate, Grace Book, University Registry.

<sup>2</sup> Dr Philpott to General Grey, 6 December 1854, Royal Archives, Windsor Castle.

<sup>3</sup> Report of the Syndicate, 28 November 1854, University Papers, University Library, E.R. 51.

take;<sup>1</sup> but the changes introduced were not of such a character as to make the examination a serious intellectual test.

But the University had not fulfilled the hopes of its more enlightened friends. Immediately after the Royal Commission had reported, it seemed about to make really comprehensive reforms; but it had failed to rise to the occasion. Allowance must in fairness be made for the discouraging effect of the knowledge that a Statutory Commission was about to be appointed, for what was the use, it could be urged, of making reforms if the entire academic system was about to be remodelled? Indeed, in those days many members of the Senate were thinking almost exclusively of the coming storm, and naturally took much interest in the Oxford University Bill as foreshadowing it. That measure inspired considerable alarm, and in a pamphlet entitled "Notes on the Oxford University Bill in reference to the Colleges of Cambridge", Whewell defiantly asserted that "there is no part of the Bill, so far as it alters the constitution of colleges, which does not appear to me mischievous in its application to Cambridge". But the Government did not intend to treat the two Universities exactly alike. After the Oxford Bill had passed both Houses of Parliament, Dr Philpott, Dr Ainslie, and Dr Cookson, acting in their private capacities, drafted a Bill for Cambridge on similar lines, though with certain changes which they considered advisable; and sent it to Prince Albert, who passed it to Lord Aberdeen.<sup>2</sup> It was most cordially received.

"The papers which your Royal Highness has been so kind as to send me", the Prime Minister replied, "will greatly diminish the labour of preparing the Bill, and appear to offer a very judicious adaptation of the measure of last year to the necessities of the present case. The numerous and important improvements already effected by the University itself will also greatly facilitate the work of the Legislature.<sup>3</sup> . . . At all events your Royal Highness may be assured that Dr Philpott will be consulted in every stage of this proceeding, as the person, who from his moderate views, business habits and knowledge of the University, is best qualified to give the most valuable advice and assistance."<sup>4</sup>

These were not mere words. The Lord Chancellor, Lord Cranworth, who was to bring forward the Bill in the House of Lords, invited

<sup>1</sup> Report of the Syndicate, 28 November 1854, University Papers, University Library, H.C. 1. Diary of J. Romilly, 7 February 1855.

<sup>2</sup> Dr Philpott to Colonel Grey, 18, 22 and 30 November 1854, Royal Archives, Windsor Castle.

<sup>3</sup> This appreciation of the efforts of the University was more kindly than just.

<sup>4</sup> Lord Aberdeen to Prince Albert, 2 January 1855, Royal Archives, Windsor Castle.

Dr Philpott to visit him, as he wanted his advice "on the subject of the proposed Bill for regulating the University of Cambridge";<sup>1</sup> and shortly after the Bill had been laid upon the table of the House of Lords, Lord Cranworth informed the Prince that it was "the same, with some very trifling exceptions, as that which Dr Philpott had framed from the Oxford Act of last year".<sup>2</sup> But one of the exceptions, as Lord Cranworth admitted, was not trifling. By the Oxford Act a member of Convocation, if of approved standing and qualifications, could open his house, if within the University precincts, "for the reception of students who shall be matriculated and admitted to all the privileges of the University, without being of necessity entered as members of any college or existing hall"; and this provision for private halls, as they were called, though not in Dr Philpott's draft, was in the Cambridge Bill, much to the gratification of the Prince. Lord Cranworth, himself, was very half-hearted about it. "I doubt", he remarked, "whether they will be much resorted to, but I entirely accede to the observation of your Royal Highness that the mere circumstance of it being usual at Cambridge to allow undergraduates to lodge in the town is by no means an adequate substitute for the private halls."<sup>3</sup>

But the feature of the Bill which raised immediately a storm of protest at Cambridge was not the provision for allowing private halls, but the omission drastically to restrict the influence of the Heads in the government of the University. The story of the bitter controversy thereby occasioned has been told elsewhere;<sup>4</sup> and it is enough to repeat here that the Bill, owing to the many changes made in it during its progress through the Upper House, reached the House of Commons too late in the session to be given more than a first reading, and was therefore withdrawn. A new Bill, substantially the same as the previous measure in its final form, was introduced into the House of Commons on 14 March 1856, by Pleydell-Bouverie, the Vice-President of the Board of Trade; and on the whole had a favourable reception at Cambridge. Whewell, though critical of certain details, generally approved it, as also did Bateson who differed so widely from him in academic politics.<sup>5</sup>

<sup>1</sup> Lord Cranworth to Prince Albert, 20 March 1855, *ibid.* The consultation was also attended by Lord Lyndhurst, the High Steward.

<sup>2</sup> Lord Cranworth to Prince Albert, 7 April 1855, Royal Archives, Windsor Castle.

<sup>3</sup> Lord Cranworth to Prince Albert, 20 March 1855, Royal Archives, Windsor Castle.

<sup>4</sup> See pp. 42-57.

<sup>5</sup> An undated draft of a letter to Spencer Walpole in book labelled, V C, 5 November 1855, among the Whewell Papers. Diary of J. Romilly, 4 April 1856.

Adam Sedgwick was also fairly satisfied, though he regretted that the colleges were only permitted, and not compelled, to contribute to the support of the University;<sup>1</sup> and Dr Philpott did not think that it required much alteration.<sup>2</sup> But after the Bill had been read a second time in the House of Commons, Dr Philpott was much disturbed to hear that Lord Palmerston, who in February 1855 had succeeded Lord Aberdeen as Prime Minister, was inclined to postpone further consideration of it until later in the session.

“Our University Bill”, he wrote to Colonel Phipps on 18 May, “has made but little progress in the House of Commons, and some of us begin to fear that the press of other business may prevent its passing into a law this year. This result would be very damaging to the University, for it would bring another year of suspense and delay, during which no progress could be made, and all minds would remain unsettled. . . . The points of difference are few, and such as, having been already discussed in the case of the Oxford Bill, everyone is prepared to vote upon at once. If the Government would give up one night to the discussion of the Bill, I believe it would be enough to determine every question.”<sup>3</sup>

The Prince, who of course was intended to see this letter, promptly communicated with Lord Palmerston;<sup>4</sup> and it was doubtless due to his intervention that the House of Commons went into committee on the Bill on 30 May. It was well that it did, for so many amendments were proposed that no small part of three sittings was taken up in discussing them. But only two substantial changes were made. Undergraduates were not to be required to make or subscribe any declaration of faith

<sup>1</sup> In a letter to General Grey, dated 26 April 1856, Sedgwick complained that the Bill, though a good one, was not sufficiently imperative. “We must have”, he wrote, “a staff of *resident* Professors. To secure this the professorships must be endowed. This can only be done at the cost of the colleges which are so many distinct and subordinate corporations. But will the colleges do this? If the Fellows would sacrifice 20 per cent of their income, we might have an adequate fund. Parliament might *command*, and then we have only to obey.” General Grey communicated part of this letter to Pleydell-Bouverie, who replied on 1 May. “I should have liked”, he said, “to have proposed what he suggests with respect to taxing the colleges at Cambridge, and I wrote some time ago thither to ascertain whether such a proposal would go down. I found it would not, and so I abandoned the idea very reluctantly.” Royal Archives, Windsor Castle. By the Bill of 1855 the Commissioners had been given powers to appropriate a portion of the college revenues to the support of Professors.

<sup>2</sup> Dr Philpott to Colonel Phipps, 18 May 1856, Royal Archives, Windsor Castle.

<sup>3</sup> Dr Philpott to Colonel Phipps, 18 May 1856, *ibid.*

<sup>4</sup> Lord Palmerston to Prince Albert, 21 and 25 May 1856, *ibid.*

“on obtaining any exhibition, scholarship or other college endowment”, and the provision in the Bill, which abolished the religious tests for all but divinity degrees, but restricted membership of the Senate to such persons as had declared themselves to be members of the Church of England, was so amended as to remove this restriction and to throw open the Senate, as well as lay degrees, to dissenters from the Established Church. Both these amendments were brought forward by James Heywood, who for many years had carried on a crusade against the Anglican monopoly of the Universities.<sup>1</sup>

On 26 June the Bill was read a third time in the House of Commons, and then sent up to the House of Lords,<sup>2</sup> where it reached the Committee stage on 4 July. A few amendments were made, but none of great importance except that which restored the original restriction of membership of the Senate to such graduates as had declared themselves to be members of the Church of England;<sup>3</sup> and in this form the Bill was returned to the House of Commons. The session was drawing to an end, and Pleydell-Bouverie, fearing a repetition of what had happened the year before, urged the House to accept the amendments of the Lords. He got his way, and the Bill, as amended in the Upper House, was passed.<sup>4</sup>

The Act appointed eight Commissioners to supervise, and after a certain date to undertake, the revision of the statutes of the University and the colleges; but it also made certain changes in the academic system, of which not the least important was the institution of the Council of the Senate. On 6 November 1856 the Caput was to cease to exist, and on the following day the first Council of the Senate was to be chosen. It was to consist of the Chancellor, the Vice-Chancellor, four Heads of Houses, four Professors and eight other members of the Senate; but of these eight not more than two might be of the same college. The electors were to be the Heads, Professors, Public Examiners, University Officers, if members of the Senate, and all other members of the Senate who had resided for at least fourteen weeks during the previous academical year within a mile and a half of Great St Mary's Church; and each elector might “vote for any number of persons, being Heads of Colleges, Professors or members of the Senate”, as needed to be chosen. The Act further provided that no Grace could be sub-

<sup>1</sup> *Hansard*, 3rd Series, vol. CXLII, pp. 807-849, 1198-1215, 1740-1758.

<sup>2</sup> *Ibid.* pp. 2042-2044.

<sup>3</sup> *Ibid.* 3rd Series, vol. CXLIII, pp. 309-319.

<sup>4</sup> *Ibid.* pp. 1042-1045.

mitted to the Senate unless it had been passed by the Council, which was also invested with a power previously exercised by the Heads: "the Council" ran the Act "shall nominate two qualified persons to the Senate, of whom the Senate shall choose one, . . . to fill every vacant office in the University to which the Heads of Colleges have heretofore nominated two persons to the Senate: provided always that the persons nominated as aforesaid to the office of Vice-Chancellor shall be Heads of Colleges".

On this body the Vice-Chancellor was to be very little more than *primus inter pares*; for, if outvoted by a majority which was less than a majority of the whole Council, he could only adjourn the consideration of the particular question to the next meeting, at which it would be decided by the majority of the members of the Council then present. In this and in other respects, the Act went further than the Revising Syndicate in the democratic direction, and doubtless many heads were shaken over the danger of the government of the University falling into the hands of young men in a hurry.

But probably the greatest interest was excited by those provisions of the Act which were concerned with the powers to be exercised by the Commissioners. Until 1 January 1858, the Council, with the approval of the Senate, could submit to the Commissioners for their approval proposals for the modification of, or additions to, the statutes of the University and the statutes and trusts governing its endowments; but if by that date the Commissioners had either not received such proposals, or had not approved them, they were themselves to frame such statutes as they thought necessary, though, before being presented to the Queen in Council for ratification, these statutes must be submitted to the Council of the Senate, and if within two calendar months two-thirds of the members of the Council declared in writing that any one or more of the statutes so submitted would be prejudicial to the University as a place of learning and education, "then such statute or statutes shall not take effect, but it shall be lawful for the Commissioners to frame and submit another statute or other statutes for the like purpose, and so on, as often as occasion shall require". Similarly, the Governing Bodies of colleges until 1 January 1858 could make statutes which, if accepted by the Commissioners, would become operative; but, after that date, they had only the same right of protest as the Council of the Senate against statutes framed by the Commissioners. The Governing Body of a college was, moreover, defined in the Act as consisting of the Master and



all the foundation Fellows who were graduates; and the larger colleges might therefore have more difficulty than the Council in obtaining the necessary two-thirds majority.

The measure was certainly not as harsh or as coercive as some prophets of evil had feared. For fifteen months the initiative was with the University and the colleges, and, even after losing it, they were not to be led as lambs to the slaughter. But as friction and sharp differences of opinion were inevitable, great care had been taken in selecting the eight Commissioners. They were all Cambridge men, and among them were the Bishop of Lichfield, George Peacock and Charles John Vaughan, who had been Fellows, and the Bishop of Chester, who for many years had been a Head of a House. The Commissioners might therefore be expected to be both sympathetic and friendly.

## Chapter XIII

### STATUTE XLI AND THE THREE REGIUS PROFESSORSHIPS

THE three Regius Professorships of Divinity, Hebrew and Greek were founded by Henry VIII in 1540,<sup>1</sup> and their stipends of forty pounds a year were originally charged upon the revenues of the Cathedral Church of Westminster. From 1547 onwards, however, these stipends were paid by Trinity, which had been founded by Henry VIII in 1546; and the earliest statutes of that college, which are those granted by Edward VI in 1552, authorised these payments, and enjoined that the three Regius Professors, if Fellows of Trinity, should be of the Senatus,<sup>2</sup> and that they should not lose their fellowships by marriage.<sup>3</sup> But their duties, mode of appointment and conditions of tenure were not prescribed; and it was not until a few years later that this deficiency was supplied. The forty-first chapter of a draft of new statutes for the college, drawn up in the reign of Queen Mary, is exclusively concerned with the three Regius Professors; and though these draft statutes were never formally approved by the Crown, and therefore never became operative, the code which Queen Elizabeth gave to the college was almost identical with them, except for such modifications as the religious changes required. The Elizabethan statutes, which remained in force for three hundred years, were transcribed from the Marian draft as revised by the Royal Commissioners, who struck out such parts as were offensive to Protestant tastes, and made certain additions; but unfortunately, the copyist, being careless, "kept some things in which were

<sup>1</sup> The accepted belief is that Henry VIII founded these three Regius Professorships and the Regius Professorships of Physic and Law in 1540; but no deed of foundation is known to exist, and the only direct evidence for this date is that of the Royal Letters Patent, dated 9 November 1540, appointing Thomas Wakefield to the Hebrew Chair. But in a letter written in 1542 Roger Ascham refers to these five professorships, and to the benefit which the University is deriving from them. J. B. Mullinger, *The University of Cambridge from the Royal Injunctions of 1535 to the Accession of Charles I* (1884), pp. 52-53. J. W. Clark, *Endowments of the University of Cambridge* (1904), pp. 153-156.

<sup>2</sup> The Vice-Master, the Deans, the "magister aulae" and the Bursars were also to be of the Senatus.

<sup>3</sup> Mr H. McLeod Innes in an unpublished memorandum, of which he kindly gave me a copy, has established that the stipends of the three Professors were paid by the College from 1547.

struck out, . . . and left others out which by Queen Elizabeth's Commissioners were intended to stand"; and, still more unfortunately, his blunders were not discovered until after the Queen had approved the statutes under the Great Seal.<sup>1</sup>

The forty-first chapter in its Elizabethan and final form directed that the electors to the three chairs should be the Vice-Chancellor, the Provost of King's, the Masters of Trinity, St John's and Christ's, and the two Senior Fellows of Trinity; and that, if an elector happened to be Vice-Chancellor, his place should be taken by the President of Queens'. They had to take an oath to vote for the candidate whom they conscientiously believed to be best qualified, and were particularly charged to attach great weight to "solidam doctrinam, vocis claritatem, pronuntiationem distinctam, et elocutionem". No one could be a candidate for the Divinity Professorship who was not either a Doctor or Bachelor of Divinity, or for the Hebrew and Greek Professorships if not at least a Master of Arts; but, for some unstated and undiscovered reason, doctors of all faculties were excluded from the Greek Chair. Every candidate for the Divinity Professorship had to undergo an examination by the divinity faculty, and to deliver a prelection before the electors; and similar tests were imposed upon the candidates for the Greek and Hebrew Chairs.<sup>2</sup> Each Professor, moreover, was required to lecture four times weekly during the three terms and the Long Vacation; and was entitled to receive, as heretofore, a stipend from Trinity of forty pounds a year. Meagre though this sum appears, it was very much more than what a Fellow of any college then received;<sup>3</sup> and therefore the statute provided that on election to any one of these three chairs a Fellow of Trinity should forfeit all the financial benefits of his fellowship and become a titular Fellow, and that a member of another college,

<sup>1</sup> Vernon's Notitia (generally called Lort's Vernon as it had been in the possession of Dr Lort), facing page 1, Trinity College Documents. Edward Vernon, who was elected to a fellowship of Trinity in 1719, states that he has in his hands the copy of the Marian draft statutes containing the revisions made by Queen Elizabeth's Commissioners, and describes it as a vellum book in which "every line is upon a red line". The only copy of the Marian draft now in the possession of the college does not tally with this description: it is not a vellum book, and there are no red lines. It has not been possible to discover whether the copy to which Vernon refers was ever in the possession of the college, and, if so, what has become of it.

<sup>2</sup> As there were only faculties of divinity, medicine and law, candidates for the Greek and Hebrew Chairs were to be examined by persons skilled in those languages.

<sup>3</sup> Being almost five times the amount of the maximum allowance of a Fellow of Trinity in the sixteenth century.

if not a Head of a House, a doctor or married, should migrate to Trinity and “statutis ejusdem Collegii eodem modo quo socii ejusdem parent”.<sup>1</sup>

But though Trinity was still to give, it was also to receive. Its Fellows were to be preferred, if equal in merit with the other candidates, and, as three of the seven electors were supplied by Trinity, that obligation was not likely to be forgotten. Further, all the Professors on election had to be admitted into office by the Master and Seniors of Trinity; and if after three scrutinies a majority of the electors had not voted for one candidate, the Master of Trinity and the Vice-Chancellor, acting jointly, were to make the appointment. Thus, though the Professors were University officers, they were very closely connected with one college.

The statute also prescribed that the Professors should not hold “ullum officium, magistratum aut lecturam aliam” either in Trinity or in the University “sub pœna prædicta”, and in the Marian draft the nature of this penalty is clear, as the immediately preceding paragraph directs that a Professor, guilty of certain offences or constant neglect of his duties, “loco suo omnino privetur”; but, owing to the carelessness of the transcriber, these essential words were omitted in the copy of the Elizabethan statutes to which the Great Seal was attached, so that it was impossible legally to determine the penalty that a Professor would incur by holding an office in the college or the University.

It was not, however, this serious omission but the financial provisions and lecturing requirements that first gave trouble. The rapid fall in the value of money soon reduced forty pounds a year to a miserable pittance, and four lectures a week during term and the Long Vacation became a heavy burden when more was expected from a lecturer than public readings from books and manuscripts. Consequently, James I increased the value of the Regius Professorship of Divinity by annexing to it the rectory of Somersham, and in 1661 Charles II by Letters Patent exempted all three Professors from lecturing in the Long Vacation or more than twice a week during term, permitted a Fellow of Trinity, if elected to the Hebrew or Greek Chair, to continue to enjoy the financial benefits of his fellowship, which had become considerably more valuable since the sixteenth century, and dispensed a Fellow of another college, if appointed to either of these two professorships, from the requirement to take up his residence in Trinity, provided that he was permitted by

<sup>1</sup> By migrating to Trinity a Fellow of another college would lose his fellowship.

the statutes of his college, and its Master and Fellows, to retain his fellowship. But the rectory of Somersham came to be far more valuable than a fellowship of any college. At the beginning of the eighteenth century the Regius Professorship of Divinity was reputed to be worth about three hundred pounds a year, and at the beginning of the nineteenth century about one thousand pounds a year. The competition for such a financial prize was naturally always very keen; and, consequently, though Trinity had three of the seven electors, and its Fellows were to be preferred to other candidates, this professorship, unlike the other two, never became an appanage of that college. Between 1700 and 1850 not more than one-third of the Regius Professors of Divinity were Trinity men, whereas during the same period only one Professor of Hebrew and two Professors of Greek came from other colleges.

After the Letters Patent of Charles II, the forty-first chapter remained unchanged until a few years before it was finally swept away; but, like many other statutes, it was not strictly observed in the eighteenth century. It is not perhaps of much moment that the electors did not always conduct the examination of the candidates in the prescribed way and sometimes did not examine them at all, for they could judge their intellectual merits from the prelections;<sup>1</sup> but the total neglect by the Professors of their obligation to lecture was a grave scandal, and there were other less serious infractions. But, as it was an easy-going age, few were troubled by these offences or by doubts arising from ambiguities and omissions in the statute. But the men of the nineteenth century had a more delicate legal conscience, and were troubled by difficulties which had not disturbed their predecessors.

This new era may be said to have begun when the death of Dr Richard

<sup>1</sup> The examination of the candidates for the Divinity Chair was not conducted, as the statute prescribed, by the divinity faculty but by the electors, and sometimes was very informal and slight. Thus at an election in 1816 it consisted of the electors, through the Master of Trinity, putting two or three questions to each of the candidates. Moreover, when Rutherford was a candidate in 1756, the electors dispensed with a public examination, and arranged that he should be examined privately by the Vice-Chancellor; and Bentley was also not publicly examined.

The electors also examined the candidates for the other two chairs, though at least in Hebrew they could hardly claim to be the experts to whom the statute entrusted this duty. But they sometimes dispensed with an examination if there was only one candidate, and, if there were more, sometimes "reserved to themselves the right of examining them privately", which quite possibly meant in practice no examination at all. University Registry Documents, vol. xxxix, 2, 3, 4; Trinity College Documents, Box 29, C, III d; J. H. Monk, *Life of Bentley* (1833), vol. II, p. 15.

Watson on 4 July 1816 vacated the Divinity Professorship which he had held for forty-five years. The news reached Cambridge on the 8 July, and the Vice-Chancellor, who was Dr Kaye, Master of Christ's, immediately summoned a meeting of the electors for the following day, at which he gave notice of the vacancy, and announced that the examination of the candidates would be held on 17 July. But when on the examination day Dr Kaye himself came forward as a candidate, James Lambert, who was an elector as a Senior Fellow of Trinity, declared him to be ineligible; and although on this occasion he did not press his objection, he intimated that he might raise it again on the day of election.

Lambert was certainly justified in making a protest. Dr Kaye was an elector, and the precedents for an elector being also a candidate were few, and for the most part of questionable force.<sup>1</sup> And he was also Vice-Chancellor, and the professorship was not tenable with a University office. But though the first objection, if valid, was insuperable, there was a way of escape from the second. The prohibition in question did not extend to candidates for the professorship, and it therefore might be argued that it would not be violated by Kaye's election, which most of the electors desired, provided that he was not admitted into the professorship until after nine o'clock on the morning of 3 November, when he would have ceased to be Vice-Chancellor. It was therefore decided that the candidates should deliver their prelections on 30 October and the two following days, and that the election should be held on 2 November. Kaye, if successful, would certainly be Vice-Chancellor when elected, but he would not actually be in possession of the professorship until his admission into office by the Master and Seniors of Trinity, which could be delayed until the following day.

Though it was unusual to allow so long an interval between the

<sup>1</sup> According to the anonymous author of *Observations on Certain Questions arising from Chapter XLI of the Statutes of Trinity College, Cambridge*, there was not a single instance of an elector being appointed to the Professorship of Hebrew or Greek, and, at most, not more than six instances of the appointment of an elector to the Divinity Professorship, namely James and Leonard Pilkington, Masters of St John's, in 1559 and 1561, Dr Collins, Provost of King's, in 1617, John Arrowsmith and Anthony Tuckney, Masters of St John's, in 1651 and 1656, and Dr Bentley, Master of Trinity, in 1717. But it is very doubtful whether James Pilkington was ever Regius Professor of Divinity, and uncertain whether Leonard Pilkington was Master of St John's when elected. Arrowsmith and Tuckney were, moreover, appointed in lawless times, and the unscrupulous methods adopted by Bentley to obtain the chair rendered his election quite valueless as a precedent.

examination of the candidates and the election,<sup>1</sup> it was not in contravention of the statute; but as the procedure adopted smacked a little of sharp practice, and favoured Kaye at the expense of his rivals, it was decided to take legal advice. Two of the lawyers consulted, Stephen Lushington and Charles Warren, expressed the opinion that the chair could not be held with the Vice-Chancellorship, though Lushington was by no means certain what penalty would be thereby incurred. "There is", he wrote, "a manifest hiatus at the conclusion of the statute, and though I have no doubt the substance of the omission was 'locum suum amittat', yet I cannot say the law would justify the supplying it from the other copy of the statutes or from inference."<sup>2</sup>

They gave, however, slightly different answers to the question:

Supposing that a Vice-Chancellor cannot hold that office with the professorship, might he, nevertheless, be elected on the 2nd of November, when it is known that he is to resign the office on the day following at 9 o'clock in the morning, and would the Master and Seniors of Trinity be justified in refusing to admit him on the 3rd of November, on the ground that he was ineligible on the day of election, being then actually in office, and having been so during the whole period of the vacancy?

Lushington replied that admission into office might be properly refused to Dr Kaye, and that this "would be the best manner of bringing the question to a legal issue", whereas Warren was of the opinion that Kaye could not be refused admission, though he was very doubtful "about the legality of postponing the days of interpretation in the Schools<sup>3</sup> to so great a distance from the day of examination, for the sole purpose, as it appears, of putting Dr Kay (*sic*) in a situation to accept the office". Both the lawyers, however, agreed that an elector might also be a candidate, though Lushington inclined to the opinion that such a duplication was not in accordance with the intentions of the framers of the statute, and Warren believed that it was.<sup>4</sup>

It would probably have been best if the Master and Seniors of Trinity

<sup>1</sup> In the eighteenth century there was generally an interval of one or two months between the declaration of a vacancy and the election of a new Professor.

<sup>2</sup> Trinity College Documents, Box 29, C, III d. In another copy of the statutes in the possession of the College the blunder of the transcriber is rectified by the insertion of the words "Tum idem locum suum amittat"; but not having the Great Seal attached to it, this copy had no legal authority.

<sup>3</sup> The reference is to the prelections.

<sup>4</sup> Trinity College Documents, Box 29, C, III d.

had acted upon Lushington's advice, and, by refusing Kaye admission into office, obtained a judicial ruling; but they followed the line of least resistance, and on 3 November admitted him into the professorship, to which he had been elected on the previous day.<sup>1</sup> It would perhaps have been difficult for them to refuse to do so. Kaye was a distinguished scholar, and far more worthy of a coveted chair than many of his predecessors in it. He, moreover, seems to have conducted himself with great propriety in a delicate situation, for, according to report, he abstained from voting for himself.<sup>2</sup>

Six years later the forty-first chapter again came under discussion. In 1822 Dr Monk, the Regius Professor of Greek, was preferred to the Deanery of Peterborough; and as the statutes of the Cathedral required that the Dean should be a Doctor or Bachelor of Divinity or a Doctor of Law, he announced his intention of proceeding to the degree of Doctor of Divinity. But as he did not propose to resign his professorship, the question arose whether he would not forfeit it by becoming a Doctor under that very curious provision of the statute, "Doctores omnes, cujuscunque facultatis fuerint, ab hac Græca lectura omnino excludimus". Monk ingeniously argued that the primary meaning of *excludere* is to shut out and exclude, and that though it was sometimes used in the sense of *ejicere*, this use was only "secondary and elliptical, and never can be admitted except when its position and the context of the sentence shows that to be the admitted intent of the writer".<sup>3</sup> He therefore maintained that though a Doctor could not be elected to the Greek Chair, an occupant of it was not debarred from becoming a Doctor; but as there was an influential party in the University who considered that this interpretation of the statute was a perversion of its plain meaning, it was decided to take legal opinion. But unfortunately the lawyers consulted were not of one mind. Nicholas Tindal, who later became Chief Justice of the Common Pleas, supported Monk, though he admitted that he had not reached this conclusion without great hesitation;<sup>4</sup> but the two University Counsel were of a contrary opinion, though like Tindal they admitted that they had been greatly perplexed. "We have delayed answering the case a considerable time", they reported, "on account of the doubt we feel whether Dr Monk, by

<sup>1</sup> Register of Admissions, Trinity College: University Registry Documents, vol. XXXIX, 2.

<sup>2</sup> *Observations on Certain Questions arising from Chapter XLI of the Statutes of Trinity College, Cambridge* (undated).

<sup>3</sup> Trinity College Documents, Box 29, C, III d.

<sup>4</sup> *Ibid.*



proceeding to the degree of Doctor in Divinity, vacates his professorship, and which we continue to feel in a considerable degree. Upon the best consideration we can give to the subject, we are inclined, however, to think that he did vacate it. The question depends principally upon the meaning of the word *excludimus*." And they then proceeded to point out that in classical writers and in college statutes there were instances of the word bearing an ejective meaning, and that the argument that it was used in that sense in the forty-first chapter was strengthened by *excludimus* being preceded by *omnino*.<sup>1</sup>

The uncertainty of the lawyers and their difference of opinion placed the Master of Trinity and the Vice-Chancellor, who were the statutory supervisors of the three Regius Professors, in a very difficult position. They were not given the clear lead which they much needed, for, like the lawyers, they were not in agreement: the Master of Trinity was of the opinion that Monk had not vacated his chair by taking a Doctor's Degree,<sup>2</sup> and the Vice-Chancellor believed that he had, though he confessed that he had been very much shaken in this conviction by "the doubts which all the eminent lawyers, who have been consulted, express".<sup>3</sup> There hardly seemed any way out of this valley of doubt and indecision; but rescue came from an unexpected quarter. In a letter to the Vice-Chancellor, dated 31 May 1823, Monk announced his intention of resigning his professorship, but he was careful to add that he was only taking this step because he found that, as Dean of Peterborough, he could not adequately perform its duties, and that his action must not be construed as an acknowledgment that he had broken the statute.<sup>4</sup> But, though an immediate difficulty was thus removed, the correct interpretation of an important provision of the forty-first statute remained in doubt.

But it was at least as clear as words could make it that not any of the three professorships could be held with either the Mastership of Trinity or the Vice-Chancellorship; and yet when Dr Kaye resigned the Regius Professorship of Divinity in 1827, Christopher Wordsworth, who held both these offices, came forward as a candidate. It is true that as the election was to be held on 2 November, he would, like Kaye, not

<sup>1</sup> University Registry Documents, vol. xxxix, 4.

<sup>2</sup> Christopher Wordsworth to W. Whewell, 16 July 1845, Whewell Papers.

<sup>3</sup> Trinity College Documents, Box 29, C, III d.

<sup>4</sup> *Ibid.* For a fuller account of this episode, see D. A. Winstanley, *Unreformed Cambridge* (1935), pp. 115-119.

be admitted into office until he had ceased to be Vice-Chancellor;<sup>1</sup> but he certainly intended, if elected, to retain the Mastership of Trinity, and thus commit a flagrant, though not unprecedented, breach of the statute.<sup>2</sup>

It is therefore astonishing that the other candidate, Dr Turton, was only elected by four votes to three,<sup>3</sup> and might not have secured the one vote which gave him victory if some of the electors had not obtained beforehand a legal opinion in writing from a distinguished Chancery lawyer, John Bell. "On the day of the election, and after the business was begun," wrote Wordsworth to Whewell many years later, "an opinion of Mr Bell was produced by one or more of the electors, and read by their desire; and it appearing to be against my eligibility as a Head of a House and an elector, and, more particularly if I remember right, as the Head of Trinity College, this opinion was considered at the time to have had great weight in bringing about my rejection and the election of Dr Turton."<sup>4</sup> There is no reason to think that Wordsworth wilfully disregarded a plain direction of the statute, but he certainly either overlooked or misunderstood it.<sup>5</sup>

This was not the last time that Wordsworth had cause to study the forty-first chapter, for his son, Christopher, was a candidate for the Divinity Chair when it was vacated by the preferment of Dr Turton to the Deanery of Westminster. Wordsworth was a fond father, and, before the vacancy was announced, he addressed a fulsome eulogy of his son to Whewell, who had recently succeeded him in the Mastership of Trinity. "The fact is", he wrote, "that, as well by his own inclination as by my strong recommendation, he has now for several years—not less than four or six—devoted a principal part of all his leisure time. . . to a diligent and well directed course of theological study. And to speak only of one department, I verily believe he has an extensive and accurate knowledge

<sup>1</sup> University Registry Documents, vol. xxxix, 2.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> Christopher Wordsworth to W. Whewell, 10 December 1842, Whewell Papers.

<sup>5</sup> It is of some interest that Joshua King, who was President of Queens' from 1832 to 1857, saw no objection to Wordsworth's candidature. "I return your statutes with many thanks," he wrote to Whewell on 25 September 1842. "I have read over that portion of them relating to the Divinity Professorship, and am quite at a loss to know on what principle Bell's opinion, which I have not seen, is founded. There is nothing in the statutes that I can see which renders the Master of Trinity ineligible, except it be that the Master of Trinity College is to admit the person elected and that he, in conjunction with the Vice-Chancellor, is to admonish him in case of neglect of duty, etc., etc."—Whewell Papers.

of the principal Fathers of the Church, both Greek and Latin, perhaps almost beyond that of *any Englishman* of our own day." And, possibly being aware that W. H. Mill, who was suspected of Tractarian views, was likely to be a candidate, he was careful to add that the theological opinions of his son were "in entire harmony with the genuine principles of the Church of England".<sup>1</sup>

Wordsworth was, indeed, extremely eager. He was prepared, when he heard which two of the Trinity Seniors were to be on the board of electors, to write to them also;<sup>2</sup> and, when all was over, the Bishop of Ely told Romilly "that he had received most urgent letters from Dr Wordsworth to use all his influence with the electors to the Divinity Professorship on behalf of his son".<sup>3</sup> One can therefore picture his dismay on learning that John Graham, Master of Christ's, was also a candidate, for Graham would be a formidable rival. It is true that Graham was an elector, but could Wordsworth urge that as a disqualification, when he had himself stood for the same chair in 1827, though an elector to it? He apparently felt that he could, and on 10 December 1842 wrote again to Whewell, who was now Vice-Chancellor. He stated that "further researches, and a repeated consideration of the whole drift and tenor of the statute" had convinced him that "not only no elector, but no Head of a House is properly eligible"; and, believing certainty on such a point to be of the utmost importance, he and others had procured a fresh legal opinion. "The barristers consulted" he wrote "are Mr Pemberton and Mr Roundell Palmer, both men of great ability and of high reputation, and Mr Pemberton in particular was recommended as one of the highest authorities now at the Bar on such questions. After consultation together, they have given their opinion jointly, and it is very strong on each of these two points: that a Head, who is an elector, is not eligible, and, if he were, that he cannot vote for himself." But, aware that even the most charitably minded might question the propriety of his conduct, Wordsworth was careful to suggest that, though he had been "much more actuated by public motives than by any private ones", it might be as well if he remained in the background.

"Do you think", he urged, "that as Master of Trinity and as Vice-Chancellor, you could take upon yourself the whole concern and management of this said opinion? To peruse it, to communicate it to Dr Graham singly or to

<sup>1</sup> Christopher Wordsworth to W. Whewell, 29 September 1842, Whewell Papers.

<sup>2</sup> *Ibid.*

<sup>3</sup> Diary of J. Romilly, 7 February 1843.

the other electors collectively with him, when and as you like, and to take such other steps (even to the procuring other advice) as you may deem requisite. Should you concur . . . with me in thinking this mode might be most fitting and respectful to all parties and to the great importance and the public justice of the case, it occurs to me to suggest lastly whether you might not properly assume the matter at once entirely into your own hands by sending through me a single line to Messrs Pemberton and Palmer jointly, or by merely authorising me in your name to request them to supply a second copy of the opinion which they have given."<sup>1</sup>

The joint opinion of Pemberton and Roundell Palmer was precise and definite.

"The power given to the electors", they advised, "is in the nature of a trust, and trustees cannot act for their own benefit. The whole tenor of the statute is contrary to the supposition that they can appoint one of their own number. They swear to elect impartially. They are throughout called 'Electores', and pointedly distinguished from the candidates, 'theologi qui illud munus petunt'. The latter are to be summoned before them and examined by them, and every elector is required to take part in every election. We think that a man cannot examine himself, and therefore cannot be eligible to an office to which he is a necessary examiner. And if our construction of the oath and statute is correct, it is impossible for any one of these electors either to vote for himself or to abstain from voting, which seems an additional reason for concluding that the founder meant to exclude them. . . . The doctrine of the Canonists . . . upon questions strictly analogous is in close accordance with our opinion; and in the interpretation of documents of the date and nature of this statute the Canon Law (especially when corroborated by the English law of trusts) would probably have weight."<sup>2</sup>

Just about this time the author of a privately printed pamphlet entitled "*Observations on Certain Questions arising from Chapter XLI of the Statutes of Trinity College, Cambridge*"<sup>3</sup> sought to prove that a Head of a House could not be a candidate for the Regius Professorship of Divinity, and that an elector was equally ineligible, as "the electoral office is one of trust for the University, and no trustees can execute their office for their own benefit or for that of one of their own trustees". Probably either the elder or the younger Christopher Words-

<sup>1</sup> Christopher Wordsworth to W. Whewell, 10 December 1842, Whewell Papers.

<sup>2</sup> Trinity College Documents, Box 29, C, III d.

<sup>3</sup> The pamphlet is undated, but it was sent to Whewell by the younger Christopher Wordsworth with a covering letter, dated 18 January 1843. Whewell Papers.

worth was the author of this pamphlet. In his letter to Whewell of 10 December, the elder had contended that "no Head of a House is properly eligible", which does not seem to have been the general opinion, and the argument based upon the similarity between electors and trustees was clearly borrowed from the joint opinion of Pemberton and Roundell Palmer. The pamphlet was also unmistakably directed against Dr Graham, from whom the Wordsworths had most to fear.<sup>1</sup>

The situation was not, however, so simple as the author of this pamphlet seemed to think, for though Pemberton and Roundell Palmer had agreed that electors were not eligible as candidates, Warren and, with some hesitation, Lushington had expressed the opinion in 1816 that they were. It is therefore not surprising that when at a meeting of the electors on 17 January 1843 the Provost of King's tendered a protest against Dr Graham's candidature,<sup>2</sup> the President of Queens' and Dr Graham himself at once made a counter protest; and another appeal to the lawyers might have followed if Dr Graham, "to the surprise of all and the regret of many", had not handed in a written statement of his intention to withdraw from the contest, in order "to prevent litigation and controversy".<sup>3</sup> He may be truly said to have sacrificed himself in the cause of peace, for it was generally believed that he would have been elected.<sup>4</sup>

Three candidates were left, Wordsworth, Mill and Alfred Ollivant, who was Vice-Principal of St David's College, Lampeter. There seems little doubt that Mill ought to have been chosen. He was the best scholar of the three, and his prelection is described as "incomparably the most learned".<sup>5</sup> Yet Whewell alone voted for him.<sup>6</sup> His defeat, which was probably due to his Tractarian opinions, was much regretted by many who did not belong to his school of religious thought: Archdeacon Hare, for instance, bemoaned to Whewell that "the man who seems to be so immeasurably the best fitted for that office had no vote

<sup>1</sup> A copy of this pamphlet, bound up in vol. xxxix, 2 of the University Registry Documents, is inscribed "by Dr Christopher Wordsworth (Jun.) 1843", and the writing is much like that of H. R. Luard, who was Registry from 1862 to 1891. As Luard did not come up to Cambridge until 1843, he is not a particularly good authority; but it is of course quite possible that the younger Wordsworth was the author. It was he who sent it to Whewell on 18 January 1843, and the date is of importance; for, as he pointed out, he only sent it when by Dr Graham's withdrawal it had ceased to have any reference "to a particular case".

<sup>2</sup> University Registry Documents, vol. xxxix, 2.

<sup>3</sup> Diary of J. Romilly, 17 January 1843.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.* 31 January 1843.

<sup>6</sup> *Ibid.* 1 February 1843.

but yours".<sup>1</sup> Wordsworth did not fare much better, only receiving two votes;<sup>2</sup> and the prize went to Ollivant. It was a grave miscarriage of justice. Ollivant's prelection is said to have been dull and commonplace;<sup>3</sup> and, though he had gained many academic honours and a fellowship of Trinity, he was considered by competent judges to be intellectually second rate.<sup>4</sup> It is not improbable that Wordsworth suffered by his father's zeal.

On account of the prevailing uncertainty about the meaning of certain provisions of the forty-first chapter, it became extremely important to determine with whom rested the right of interpreting it. There was no doubt that the Heads of Houses were its interpreters if it was a statute of the University, and the Masters and Seniors of Trinity if it was a statute of the college;<sup>5</sup> but to which code it belonged was difficult to determine. Certainly, the only instance before the nineteenth century of an interpretation of the statute was one made by the Master and Seniors of Trinity on 22 March 1743-4;<sup>6</sup> but a single precedent could clearly not be accepted as decisive. The question appears to have been first raised in 1816, when Dr Kaye was a candidate for the Divinity Chair; and the lawyers consulted were in substantial agreement that chapter XLI was both a University and a college statute, and that the right of the Master and Seniors to interpret it was confined to such provisions as concerned the college alone.<sup>7</sup> But this opinion had been given without a full knowledge of all the relevant facts. Though the concluding words of the forty-first chapter directed that it should be enrolled among the statutes of the University, it not only was not so enrolled,<sup>8</sup> but was referred to in the statutes of the University as a statute of Trinity College;<sup>9</sup> and when these facts were submitted to Tindal and the University Counsel in 1822, they unhesitatingly expressed the opinion that the forty-first

<sup>1</sup> Archdeacon Hare to Whewell, 29 March 1843, Whewell Papers.

<sup>2</sup> Diary of J. Romilly, 1 February 1843.

<sup>3</sup> *Ibid.* 31 January 1843.

<sup>4</sup> In a letter to Whewell of 18 January 1843, Thirlwall remarked that he had never seen anything written by Ollivant which "indicated more than very ordinary powers of mind". Whewell Papers.

<sup>5</sup> "Si quid ambigui in his Statutis reperitur, id iudicio Magistri et majoris partis octo Seniorum semper dirimatur." Cap. 46, Trinity College Statutes.

<sup>6</sup> Trinity College Conclusion Book.

<sup>7</sup> University Registry Documents, vol. xxxix, 4; Trinity College Documents, Box 29, C, III d.

<sup>8</sup> "But there is a copy thereof in an ancient book called the Black Parchment Book which is in the custody of the Vice-Chancellor." Case for the opinion of Mr Tindal, Trinity College Documents, Box 29, C, III d.

<sup>9</sup> University Statutes, cap. III.

chapter was a statute of the college and not of the University, and that the Master and Seniors of Trinity were the sole interpreters of it.<sup>1</sup>

These constant appeals to lawyers must have been very troublesome; and when, shortly after Whewell became Master, the Trinity authorities began the revision of the college statutes, the forty-first chapter naturally came under consideration. As, however, it was a matter which much concerned the University, the college did not at first propose to take independent action; and, consequently, in the draft of the revised statutes given to the Home Secretary, Sir James Graham, in May 1842, which had been prepared before there had been time to consult the University, the forty-first chapter remained unchanged, except, as Whewell explained to Sir James, the Seniority had "in one place inserted the penalty 'loco suo privetur', without which the passage has no force and no grammar".<sup>2</sup> But a few months later Trinity decided to take action.

"Since the draft was sent to you", wrote Whewell to the Home Secretary in January 1843, "I have conferred with the Committee of the Heads, who are engaged in revising the University statutes, and I find them desirous of leaving the revision of the 41st statute to the college. I have, accordingly, brought the subject under the consideration of the college, and hope soon to be able to send you a draft of this statute revised. The main change will consist in incorporating with the statute certain alterations in its principles already effected by Royal Letters of Charles the second, James the second and Anne."<sup>3</sup>

Consequently, the Trinity Seniority approved a revised form of the forty-first chapter, and submitted it, as courtesy demanded, to the electors to the three professorships. But the electors were captious, taking exception to the procedure adopted, and expressing a wish for the appointment of a syndicate.<sup>4</sup> The request was not declined; but, as a syndicate might be leisurely in action, and the final draft of the revised

<sup>1</sup> University Registry Documents, vol. xxxix, 4; Trinity College Documents, Box 29, C, III d.

<sup>2</sup> Draft of a letter to Sir James Graham, 28 January 1843. Whewell's Journal, Whewell Papers.

<sup>3</sup> *Ibid.* Whewell seems to have been very imperfectly acquainted with the history of the forty-first chapter, for neither James II nor Queen Anne amended it. James I by Letters Patent annexed the rectory of Somersham to the Regius Professorship of Divinity, and this grant was confirmed by an Act of Parliament passed in the reign of Queen Anne.

<sup>4</sup> "Seniority to report upon the forty-first statute . . . as by us revised, and yesterday exhibited to the electors into those professorships: they wish the said 41st to be referred to the University (I suppose to a syndicate)." Diary of J. Romilly, 18 February 1843.

college statutes was in all other respects completed, the Seniority decided on 18 February 1843 to leave the forty-first chapter unchanged, except for the insertion of the words "tum idem suum locum amittat", and to petition the Crown to approve the revised code.<sup>1</sup>

But in their draft of the preamble to the new code they made the Queen say that "Whereas the forty-first chapter of the said statutes . . . does by its provisions concern not the said college alone but also the said University at large, we have in these our Royal Letters left the said forty-first chapter unchanged, reserving to ourselves the future consideration of the said chapter, to be hereafter altered, if need be, to such effect and in such manner as the interests and rights both of the University and of the said college máy require";<sup>2</sup> and five years later Whewell declared that "this sentence was agreed to by the electors as well as the college, on the supposition . . . that its insertion would leave the law with respect to the three professorships in the same condition in which it then was, till some other change should take place".<sup>3</sup> This passage may or may not have sufficed for its purpose, which was undoubtedly to keep in force the Letters Patent of Charles II, which had reduced the number of lectures required of the Professors and allowed the Hebrew and Greek Professors to enjoy the full financial advantages of a Trinity Fellowship; and without it those Letters Patent would have been certainly repealed by another sentence in the preamble which declared that "after the acceptance of such our Royal Letters Patent, the statutes of the said college, so revised, altered and confirmed, and no other, shall be of force and authority in the said college".

But when on 29 February 1844 Whewell announced to the Seniors that the new code had been returned with the Great Seal attached, he also had to inform them that, without warning, or reason assigned, the passage, which had been inserted in the preamble to safeguard the continuance in force of the Letters Patent of Charles II, had been omitted.<sup>4</sup> It is possible that the law officers of the Crown, being aware that a recent Act of Parliament had provided for the annexation of an Ely Canonry to each of the Regius Professorships of Hebrew and Greek, considered that the occupants of these chairs would be overpaid if also allowed to enjoy the emoluments of a Trinity Fellowship; but

<sup>1</sup> Diary of J. Romilly, 18 February 1843. See also Whewell's Journal, Whewell Papers.

<sup>2</sup> Home Office Papers, O.S. 9199.

<sup>3</sup> Memorandum by Whewell, 28 April 1849, Whewell Papers.

<sup>4</sup> Whewell's Journal, Whewell Papers.



if this is the explanation of their action, they stand convicted of having overlooked the fact that the nullification of Charles II's Letters Patent once more placed all three Professors under a statutory obligation to deliver four lectures weekly, during term and the Long Vacation, which could not but be a very heavy burden. It was certainly a grave error to take such an important step without assigning a reason for it.<sup>1</sup>

But the conduct of the college was almost equally blameworthy. The Master and Seniors ought either to have registered a protest or to have made provision for the revision of the forty-first chapter; but they adopted neither course. "I may mention further", wrote Whewell to the electors to the three professorships, "that the college do not intend to make any application to the Crown or its officers in consequence of the Queen's Letter being thus altered from the draft sent";<sup>2</sup> and there is no evidence that they pressed for the appointment of a syndicate. Yet they were aware that the Letters Patent of Charles II might be held to be no longer operative, and, before W. H. Mill was admitted into the Regius Professorship of Hebrew in October 1848, Whewell warned him of the "difficulty which might arise from the statutes having been revised and reconfirmed, and Cap XLI being thus re-enacted without relaxation".<sup>3</sup> The difficulty on this occasion was not serious, as Mill, having married, had ceased to be a Fellow of Trinity. Possibly the Master and Seniors suffered from the common human weakness of waiting for a crisis to arrive before considering how to meet it.

The danger of delay was emphasised, however, by the Royal Commissioners in their report. "What is the present state of the law as affecting the three Professors, the Master and Fellows of Trinity College, and the University?" they enquired. "If the authority of the Royal Letter of the 13th Charles II is annulled as far as it affects the college, is it also annulled as it affects the University, one body having formally accepted the new code of statutes, whilst the other has done no public act by which their consent to it could be implied? Would the college, if called upon to enforce the provisions of the original statute, be authorized in recognizing the authority of a Royal Letter, to whose recal (*sic*) they have assented, upon the ground that no similar assent has been given by the University which has a co-ordinate interest with their own? Again, can all the three Professors claim the benefit of the relaxation of the

<sup>1</sup> The Home Office Papers, O.S. 9199, throw no light upon the mystery of this omission.

<sup>2</sup> Undated draft of a letter in Whewell's Journal, Whewell Papers.

<sup>3</sup> Whewell's Journal, Whewell Papers.

statute, or is it limited to the Greek Professor only, who alone of the three was appointed before the promulgation of the new statutes of the college?"<sup>1</sup> The Commissioners therefore suggested that a new statute should be framed.

Acting upon this advice, the Trinity Seniority agreed on 29 November 1852 to undertake the task of revising the forty-first chapter in consultation with the electors,<sup>2</sup> and they therefore had to decide whether to petition the Crown to revive the Letter of Charles II, so that its provisions could be incorporated in the new statute. The electors apparently held that it was for the college to take this decision, being the more concerned, and were probably not sorry to have disinterested themselves in a question which suddenly became pressing and extremely delicate. For on 27 April 1853, W. H. Thompson was elected to the Regius Professorship of Greek, vacated by the death of James Scholefield; and Thompson was a Fellow of Trinity.<sup>3</sup>

On 28 April, the day after Thompson's election, the Trinity Seniority discussed the revision of the forty-first chapter, and, in particular, whether it should be so drawn as to allow the Professors of Hebrew and Greek, if Fellows of Trinity, to enjoy the financial advantages of their fellowships. The Master and Romilly were in favour of adopting this course,<sup>4</sup> but they encountered the opposition of the Senior Bursar, Francis Martin, who was of the opinion that as an Ely Canonry had been annexed to each of the two chairs, there was no justification for allowing their occupants to be more than titular Fellows.<sup>5</sup> But no decision was

<sup>1</sup> *University Commission Report* (1852), p. 49. In 1850 James Jeremie succeeded Ollivant in the Regius Professorship of Divinity, and on this occasion the Trinity Seniority resolved that "inasmuch as in the revision of the college statutes of 1844, there was not any intention on the part of the college, nor, we believe on the part of the Crown, to disturb the validity of the Letter of Charles the Second, so far as concerns the times and numbers of the lectures to be given by the Professors, it is our intention to proceed as if the Letter, so far as these lectures are concerned, were still in force, till we are otherwise directed by competent authority". Trinity College Conclusion Book, 18 February 1850.

<sup>2</sup> Diary of J. Romilly, 29 November 1852.

<sup>3</sup> *Ibid.* 27 April 1853.

<sup>4</sup> Among the Whewell Papers there is a draft by Whewell, dated 28 April 1849, of a petition to the Crown "to give to the Letters of Charles II. . . the same validity which had been given to the revised statutes".

<sup>5</sup> Diary of J. Romilly, 28 April 1853. There is a memorandum on this question by Martin, dated 4 May 1849, among the Whewell Papers, and two other papers by him, dated 13 and 28 April 1853, among the Trinity College Documents, Box 29, C, III d. A Canonry had been annexed to the Greek Professorship in November 1849, and the Hebrew Professorship had been similarly enriched a short time before.

taken at this meeting, and it was not until 6 May that the Seniority agreed "to apply to the Crown, offering, if approved by Her Majesty, to prepare for confirmation a new statute, . . . in order to secure to the Regius Professors the advantages given them by the Royal Letter of Charles the Second; namely convenient regulations with regard to the lectures and residence, and the power of holding a fellowship of the college with the Professorship of Hebrew or of Greek, as also a Prebend or other preferment without cure of souls".<sup>1</sup>

Shortly after this meeting Whewell drafted a letter to the Home Secretary, Lord Palmerston.

"The college", he wrote, "do not pretend to assert that the Professor, now endowed with a stall at Ely, ought certainly to have the privilege of holding also a fellowship at Trinity, but they wish to represent that, as the Professor had this privilege of the Letter of Charles the Second, they, the college, were not the party who should have deprived him of it. Still less can they be satisfied to have done so without the intention of doing so, and without supposing in the first instance that they had done so. If Her Majesty's advisers in this matter think that the Professor ought not to hold a fellowship with his professorship, the college willingly acquiesce in the decision; but they wish that such decision should come from the Crown and not from them, the college. They have accordingly drawn up the statute, . . . incorporating in it the privileges given by the Letter of Charles the Second, and the draft is herewith sent. If a revised statute be issued, there are several other points . . . which will require to be reformed. But the college are desirous of knowing on the first and most important step in the revision, whether Her Majesty's advisers are of opinion that the privileges given to the Professor by Charles the Second should be retained or not."<sup>2</sup>

It may be reasonably assumed that Whewell sent the letter which he drafted, particularly as he never doubted having done so; but it was not answered,<sup>3</sup> and, apparently, did not reach the Home Office.<sup>4</sup> This was a most unfortunate accident. As Thompson did not wish to run the risk of becoming a titular Fellow, he had not yet been admitted into his

<sup>1</sup> Trinity College Conclusion Book, 6 May 1853.

<sup>2</sup> Whewell's Journal, Whewell Papers. The draft is dated 7 May 1853.

<sup>3</sup> Whewell noted in his diary on 17 November 1853 that he had not heard from Lord Palmerston.

<sup>4</sup> The letter is not in the packet of Trinity papers at the Home Office (O.S. 9199), which contains many letters from Whewell, and Mr A. H. May, the Superintendent of the Home Office Registry, has informed me that a search in old registers and letter books failed to reveal any letter to or from Whewell during the year 1853.

professorship; and it was clearly the intention to postpone his admission until it was known whether the Crown was prepared to approve a revised form of the forty-first chapter, incorporating the privileges granted by the Letters Patent of Charles II. It was a comedy of errors, the college waiting for an answer to a letter which had not been received; but it was a comedy with a rather grim ending. At a meeting of the Seniority on 11 June 1853, from which both Whewell, who was on the Continent, and Martin were absent, a rash and most unfortunate decision was taken. Adam Sedgwick, who as Vice-Master was in the chair, proposed that Thompson should be admitted into the professorship without further delay, and confidently asserted that he would not thereby forfeit the financial emoluments of his fellowship. Romilly concurred in this opinion, and, according to Thompson, the "only remark of a contrary tendency was made by Edleston, to the effect that others thought differently".<sup>1</sup> There was no justification for this confident belief that Thompson could retain the financial advantages of his fellowship after his admission into the professorship. It is true that a lawyer, who had been consulted, had expressed the opinion that, though the Letters Patent of Charles II were no longer operative, the college, if about to obtain a revised forty-first chapter from the Crown, "might fairly and properly allow the Professor to retain his fellowship during the interval";<sup>2</sup> but there was no reason to think that the Crown was willing to sanction a revision of the forty-first chapter. The Seniority, however, went on its way, regardless of Edleston's protest, and Thompson was immediately admitted into his chair.<sup>3</sup>

Joseph Edleston was not one of the eight Seniors at this time, but he frequently attended the meetings of the Seniority as an absent Senior's deputy. He had been present at the meeting on 6 May, and on the following day had addressed a lengthy and reasoned protest to Lord Palmerston.

"As one of the Fellows present at the meeting who are opposed to the revival of King Charles' Letter," he wrote, "I beg to lay before your Lordship some reasons for thinking that the application in question ought not to be granted. . . . The Letter of Charles II, in consideration of the inadequate

<sup>1</sup> From a pencil note by Thompson on the copy of Edleston's petition to the Lord Chancellor in Trinity College Documents, Box 29, C, III d. See also Diary of J. Romilly, 11 June 1853.

<sup>2</sup> F. J. Fuller to W. Whewell, 5 May 1853, Whewell Papers.

<sup>3</sup> Register of Admissions, 11 June 1853, Trinity College.

endowment of the Professorships of Hebrew and Greek, allowed those Professors, if at the time of their election they were Fellows of the college, to retain their fellowships. But the ground upon which this privilege was granted no longer exists. The Ecclesiastical Duties and Revenues Act, 3rd and 4th Vic. C 113, has endowed these professorships with Canonries in the Cathedral Church of Ely, the value of which on an average of the last seven years is stated to be upwards of £700 per annum. . . . But besides the objection just stated, founded on the now ample endowment of the professorships, there are other considerations unfavourable to the proposed grant, which are not without weight. The re-enactment of Charles II's letter would be the creation of a 'plurality' of no less than three offices, to all of which duties belong which must occasionally be conflicting. For example, the Professor, if allowed to retain his fellowship, will be frequently engaged in the discharge of his duties as Professor or Canon, when he ought also to be employed in the transaction of college business, for which he receives increased emolument whether present or not, the work devolving upon the deputy who supplies his place. Among the regulations introduced into the new Statutes of 1844 was one imposing additional restrictions on the tenure of college livings together with fellowships; and to allow a fellowship to be held with a professorship and its attendant preferment would appear to be a retrogressive step in legislation, and quite at variance with the spirit in which the new statutes were drawn up. . . . I may add that if it be thought desirable to make any changes in the 41st statute, such changes would seem to be best made, not as an isolated and fragmentary modification, which might occasion a want of harmony with other parts of the code, but simultaneously with the general and systematic revision of all the college statutes if the recommendations of her Majesty's Commissioners are carried into effect, when the full scope and relative bearing of the different parts will be more completely before the mind."<sup>1</sup>

It seems very unlikely that Edleston informed his colleagues that he had thus done his utmost to dissuade the Home Secretary from granting the request of the college, for it can be safely assumed that most of them would have condemned his conduct as disloyal and possibly seditious. Nor did the Home Secretary do more than acknowledge his letter, and that not until the following 26 September, probably being rather puzzled why he had not heard from Whewell.<sup>2</sup> But Edleston must also have been puzzled why Whewell had not heard from the Home Secre-

<sup>1</sup> Home Office Papers, O.S. 9199.

<sup>2</sup> On the back of Edleston's letter is written "Thanked for Com̄ication. Sent out 26 Sept/53." Home Office Papers, O.S. 9199.

tary; and possibly his expectation that Whewell would not be left unanswered accounts for his delay in taking action after Thompson's admission to the professorship on the 11 June. When, for instance, a new batch of Fellows was elected in the following October, he did not protest against Thompson's fellowship not having been placed at the disposal of the electors,<sup>1</sup> though possibly it was feared that he might do so. But the dawning hope that he had reconciled himself to what he believed to be a flagrant illegality was soon shattered. In November the news reached Cambridge of the death of one of the eight Seniors,<sup>2</sup> and as it was thought likely that Thompson would be elected to the vacant place on the Board, Edleston immediately enquired of the Master "whether it was in contemplation to take any steps with a view to obtain an authoritative decision as to the present validity of the said Letters Patent of King Charles the Second".<sup>3</sup> Whewell drily replied that he was not aware of any such intention,<sup>4</sup> and on 26 November Thompson was unanimously elected into the Seniority.<sup>5</sup> Thereupon Edleston decided to give battle, and on 13 December informed the Master that he intended to appeal to the Lord Chancellor who acted for the Visitor, the Queen.<sup>6</sup>

In his petition to the Lord Chancellor he argued that he was suffering a wrong by the continuance of Thompson in his fellowship. He explained that the "eight Senior Fellows... receive a double dividend, and the eight Fellows next to them in seniority also receive a larger amount than the ordinary dividend of the Fellows below them", and that, in consequence of Thompson being allowed to retain his fellowship, "your petitioner, who is now seventeenth Fellow, is postponed in his succession not only to such increased dividend as aforesaid, but to college livings, to which the Fellows succeed according to their standing in the college, and to other advantages dependent on seniority of standing in the said college". He therefore prayed that the Lord Chancellor, "acting on behalf of Her Most Gracious Majesty as Visitor of the said college, will be graciously pleased to cause it to be declared that the said William Hepworth Thompson, upon his admission to the office of Regius Professor of Greek in the said University, ceased to be

<sup>1</sup> Whewell's Journal, 17 November 1853, Whewell Papers.

<sup>2</sup> Diary of J. Romilly, 21 November 1853.

<sup>3</sup> Petition of Joseph Edleston to the Lord Chancellor, Trinity College Documents, Box 29, C, III d.

<sup>4</sup> *Ibid.*

<sup>5</sup> Diary of J. Romilly, 26 November 1853.

<sup>6</sup> Petition of Joseph Edleston, Trinity College Documents, Box 29, C, III d.

a Fellow of the said college, and that his election and admission as a Senior Fellow of the said college was irregular and void.”<sup>1</sup> Thompson had not of course ceased to be a Fellow of the college by accepting the Professorship of Greek, but he certainly had become “Socius nomine tantum”, thereby going down lower on the rolls of Fellows.

The Lord Chancellor communicated this petition to the college; and at a meeting of the Seniority on 28 December 1853 it was agreed to answer it and to employ Counsel for the purpose.<sup>2</sup> Thus Thompson was not left to fight his battle alone, and he was in need of consolation, being much worried and depressed. He had already made a considerable financial sacrifice by accepting the professorship, having been obliged to resign his tutorship, which had brought him in more than twelve hundred pounds a year;<sup>3</sup> and he cannot exactly have relished the prospect of being still further out of pocket. But this was the least of his troubles. “I have not instructed, nor shall I instruct, my Counsel”, he wrote to Francis Martin, “to raise the point of dividend. I feel more strongly, a great deal, on that of seniority: in fact, if this is given against me, the necessity of going down lower is the only thing that will permanently annoy me, the only thing in fact that will make college a less agreeable residence to me than Ely.”<sup>4</sup>

The case was argued before the Lord Chancellor on Saturday, 18 February 1854, and the following Monday.<sup>5</sup> Edleston’s Counsel was obliged to waive the request for a declaration that Thompson had ceased to be a Fellow, but he maintained that, as the Letters Patent of Charles II had been revoked by the Letters Patent issued by Queen Victoria in 1844, Thompson was only a titular Fellow, and therefore not entitled to be of the Seniority or to receive the emoluments of a fellowship. He had by far the best of the argument, and though Thompson complained that his lawyer had bungled his case and made a very ineffective speech,<sup>6</sup> he probably was unjust. The Lord Chancellor delivered judgment on Saturday, 4 March. He ruled that Thompson had “ceased to be, for so

<sup>1</sup> Petition of Joseph Edleston, Trinity College Documents, Box 29, C, III d.

<sup>2</sup> Trinity College Conclusion Book, 28 December 1853: see also Diary of J. Romilly, 27 December 1853.

<sup>3</sup> *Reports of Cases heard and determined by the Lord Chancellor and the Court of Appeal in Chancery*, vol. III, part IV.

<sup>4</sup> Trinity College Documents, Box 29, C, III d.

<sup>5</sup> In the *Reports of Cases heard and determined by the Lord Chancellor and the Court of Appeal in Chancery*, vol. III, part IV, pp. 742 ff.: the dates of hearing are given as 18 and 19 February 1854, but the latter day was a Sunday.

<sup>6</sup> Diary of J. Romilly, 22 February 1854.

long as he may hold the Professorship of Greek in the said University, a Fellow of the college except in name only, . . . and that his subsequent election and admission as a Senior Fellow was irregular and void, and that, so long as he holds the said professorship, he is not entitled to any share in the revenues of the said college, except the sum of forty pounds a year payable to him as such Professor".<sup>1</sup>

On Monday, 6 March, the Seniors met, and Whewell communicated this judgment to them. Outwardly quite calm, he merely announced that the Board would meet again on the following Saturday for the election of a new Senior; but Sedgwick, who possibly realised his responsibility for the humiliation which the college and Thompson had suffered, broke out, with incredibly bad taste, into a violent denunciation of Edleston who was present.<sup>2</sup> That burning zeal for the strict observance of statutes, which had led him many years before to heap insults and abuse upon Dr French,<sup>3</sup> had apparently deserted him on this occasion.

But the dismal story was not quite ended. When the Seniors met on Saturday, 11 March, to elect a new member of the Board, they were surprised to hear that Thompson had that morning placed his resignation of the Greek Professorship in the Master's hands. They all of them much regretted this step which seemed maliciously designed to deprive Edleston of the fruits of his victory; and in the hope that Thompson might be persuaded to withdraw his resignation, it was agreed to postpone the election of a Senior until the following Monday.<sup>4</sup>

That hope was fulfilled.

"The conversation I had with you at our interview yesterday morning", wrote Thompson to the Master on Monday, 13 March, "certainly left the impression that it would be impossible for me to adhere to my purpose of resigning the Greek Professorship without exposing myself to the risk of very

<sup>1</sup> *Reports of Cases heard and determined by the Lord Chancellor and the Court of Appeal in Chancery*, vol. III, part IV, pp. 742 ff. It had been argued that Thompson was not eligible for the office of Senior as the three Professors were forbidden to hold any office in the college or the University. "That", said the Lord Chancellor, "may or may not be a valid argument, but what seems to me to be stronger is the language of the 11th chapter of the existing statutes, which says 'Statuimus porro et decernimus, ut Seniorum electio intra novem dies ad summum post locum vacantem fiat: sitque ista horum eligendorum forma. Cum Senioris alicujus vacet locus, Magister, vel eo absente Vicemagister, convocatis in Sacello, ut dictum est, illis Senioribus qui reliqui sunt, cooptet in eum cœterum Socium illum qui sit proxime senior etc.'" I cannot think that any one Socius nomine tantum is eligible into the Seniority."

<sup>2</sup> Diary of J. Romilly, 6 March 1854.

<sup>3</sup> See pp. 38-39.

<sup>4</sup> Diary of J. Romilly, 11 March 1854.



painful misconstruction. Subsequent reflection has led me to think that the step in question might not unjustly be considered an ungracious return to the handsome and generous support which I have received from you and the Seniority generally during the conflict just concluded. It has caused me already much distress to have been the occasion of so much trouble to the college, ending in defeat in a public suit. I feel also that much consideration is due to those Fellows, not yet Seniors, whose interests, hitherto disregarded by themselves, are, nevertheless, implicated in my personal decision. I am bound also to pay the utmost deference to the opinion, which you as my principal elector expressed, that my resignation would not be well received by the University. It was the encouragement received from you which originally confirmed me in the determination to offer myself as a candidate for this office, and though I have never ceased, and probably never shall cease, to have misgivings as to the possibility of adequately fulfilling its duties, I am willing in deference to your opinion, and that of others whose opinions I also respect, to accept these misgivings and the pain accompanying them, as part of the propitiation to Nemesis which many Greek Professors before me have had in some form or other to pay for the pre-eminence assigned them. For these and other reasons, I have now to request that you will allow me to withdraw my resignation."<sup>1</sup>

Consequently, Thompson became a titular Fellow, and on Monday, 13 March, John Grote was elected a Senior in his place.<sup>2</sup> And the forty-first chapter was nearing its end, for, as all knew, it would be recast when a Statutory Commission was appointed. But its end threatened to be as stormy as its latter years. By the Cambridge University Bill, as ordered to be printed by the House of Commons on 14 March 1856, the Council of the Senate was authorised, subject to the approval of the Senate and the Commissioners, to change or modify the statutes and trusts governing the professorships of the University; and as there was no reservation with regard to the three Professorships of Divinity, Hebrew and Greek, it was clearly within the power of the Council to revise the forty-first chapter without consulting the authorities of Trinity. Whewell was very indignant. He contended that "if this statute could not equitably be altered by the college without the concurrence of the other parties affected by it, still less can it be equitably altered by any third party without the concurrence of the college"; and he urged that the college should be allowed to frame a new statute and

<sup>1</sup> W. H. Thompson to W. Whewell, 13 March 1854, Whewell Papers.

<sup>2</sup> Register of Admissions, Trinity College.

submit it to the Council for approval.<sup>1</sup> He did not obtain all he asked; but in the final form of the Bill the rights of the college were safeguarded by a provision that "no statute framed by the Council for altering or modifying the trusts, statutes or directions affecting the endowments held by the Regius Professors of Greek, Hebrew or Divinity, and which affect or alter any statute of Trinity College touching such Professors or their endowments, shall be submitted to the Senate until it shall receive the assent of the said college under its Common Seal". This recognition of the dual character of the statute could hardly be refused, but, as will be seen later, it very seriously complicated the task of its revision.

<sup>1</sup> Draft of a Letter by Whewell to an unnamed person, 29 April 1856, Whewell Papers.

## Chapter XIV

### THE STATUTORY COMMISSION AND THE UNIVERSITY

THE Statutory Commissioners held their first meeting on 27 September 1856, at 6 Adelphi Terrace, where offices had been assigned them. They were provided with a secretary, Edward Bunbury, at a salary of eight hundred pounds a year, a clerk, an office-keeper and a housemaid; but for the first few months they had nothing to do except to inform the Vice-Chancellor and Heads of Houses that they were ready to receive communications from the University and the colleges, "with the view of carrying into effect the objects of the Act of Parliament".<sup>1</sup> The first moves had clearly to come from the University, but, before they could be made, the machinery of academic government created by the Act had to be set up. This was done during the Michaelmas term 1856, which saw an old order yielding place to new. On Monday, 13 October, the last Caput was elected, and those chosen to serve on it might have fittingly exclaimed *morituri te salutant*, for that venerable and much abused body was to pass out of existence on 6 November. On 3 November the Heads of Houses exercised for the last time their ancient statutory right of nominating two candidates for the office of Vice-Chancellor; and though they committed an irregularity by passing over the Master of Magdalene whose turn it was to serve, and nominating in his stead Dr Philpott, no offence was thereby given, as the need of a particularly competent Vice-Chancellor during this crisis in the fortunes of the University was fully realised, and the Master of Magdalene did not wish to stand for election.<sup>2</sup>

But there were first as well as last things. Before ceasing to be Vice-Chancellor, Whewell published the first Electoral Roll<sup>3</sup> and issued regulations for the conduct of the election of the first Council of the Senate, which was to be held on 7 November. Much would turn on that election. Until the end of the year 1857 the Council had a par-

<sup>1</sup> *Letter Books of the Commissioners*, vol. 1, pp. 3-4.

<sup>2</sup> Dr Philpott to General Grey, 29 October 1856, Royal Archives, Windsor Castle.

<sup>3</sup> The Act obliges the Vice-Chancellor to publish annually in October a list of persons entitled to vote at the election of the Council of the Senate in the following November.

ticularly difficult course to steer, having to consider, when proposing statutory reforms, both what the Commissioners would approve and the Senate accept, and therefore needed members able to reconcile opposing views and to appreciate the value of compromise. On the whole the electors chose wisely. The first Council consisted, with one or two exceptions, of men who, whether conservatives or liberals, understood that they must subordinate their personal opinions to the necessity of co-operating with the Commissioners and the Senate.

The Council met for the first time on 8 November, and a week later started to revise the statutes. Their task at the outset was not particularly difficult. In 1854 the Revising Syndicate had issued a draft of the statutes of the University as they would be if all the changes, which the syndicate had proposed and the Senate approved, were sanctioned by the Crown;<sup>1</sup> and upon that draft the Council worked. The procedure adopted was thorough and systematic. A member of the Council read aloud each statute, section by section, and each section, after it had been read, was considered and frequently amended. By 8 December the eight chapters of the Revising Syndicate's draft, and the declarations to be made on admission to office in the University, had been thus discussed; but the Council then went through them again, making further alterations. There were many divisions, and several amendments were rejected; but the draft was substantially improved. Changes were made in the course for medical degrees, and it was agreed to recommend the establishment of a new Court, consisting of the Vice-Chancellor and four assessors, to take cognizance of offences committed by members of the University not *in statu pupillari*.<sup>2</sup> Moreover, two relics of the past only narrowly escaped destruction. As the University had ceased to supervise weights and measures, and no longer had jurisdiction in Stourbridge and Midsummer Fairs, there was nothing for the High Steward, his deputy or the Commissary to do; and although the abolition of the office of High Steward does not seem to have been contemplated, Dr Philpott inclined to the opinion that the University might with advantage cease to appoint either a deputy High Steward or a Commissary. He was, however, dissuaded from urging this reform upon the Council by Lord Lyndhurst, who pointed out that London lawyers were eager to hold these offices which "kept up their attachment to the University".<sup>3</sup>

<sup>1</sup> The syndicate had issued previous drafts.

<sup>2</sup> Minute Book of the Council of the Senate, 26 January 1857, University Registry.

<sup>3</sup> Diary of J. Romilly, 12 December 1856.

The revised draft, which was issued early in February 1857, was merely an instalment of reform, as the Council had yet to deal with the trusts and endowments connected with the professorships, scholarships and prizes of the University. In a report dated 6 February, they explained the method of procedure they had adopted, and the principal changes they had made; and announced that the statutes, as revised, would be submitted to the Senate on 3 March and the two following days, section by section, "in order to ascertain the opinion of the Senate in the most exact and satisfactory manner".<sup>1</sup>

On 13 February they issued a second report which contained the statute proposed for the regulation of University hostels,<sup>2</sup> which had been framed without much difficulty, as it was "in a great measure copied from the corresponding statute recently made at Oxford for private halls".<sup>3</sup> It would possibly have taken up more of the Council's time if Dr Philpott had not announced at the opening of the discussion that "the Cambridge University Act differed from the Oxford Act in not empowering the University to make regulations as to the instruction to be given to the students in hostels, nor as to their attendance on divine worship".<sup>4</sup> It was decided to submit this statute to the Senate, section by section, on 5 March.

The Council cannot have expected its handiwork to escape criticism, and it certainly did not. Several sections of the draft statutes were rejected by one or other house of the Senate, and sometimes quite rightly. It was well, for instance, that the fourth section of the fourth chapter, which prescribed the mode of electing the Proctors and Pro-Proctors, was not carried, as it perpetuated the existing practice of limiting the tenure of the proctorial office to one year, which militated against efficiency;<sup>5</sup> and there was ample justification for the rejection of those sections of the fifth chapter, which provided that an offending Public Orator, Registrar and Librarian should be tried by a court consisting of the Vice-Chancellor and Doctors, and an offending Esquire Bedell by a Court consisting of the Vice-Chancellor, the Heads and the

<sup>1</sup> Report of Council of the Senate, 6 February 1857, University Papers, University Library, C. 1.

<sup>2</sup> *Ibid.* 13 February 1857.

<sup>3</sup> Dr Philpott to General Grey, 16 February 1857, Royal Archives, Windsor Castle.

<sup>4</sup> Minutes of the Council of the Senate, 2 February 1857, University Registry.

<sup>5</sup> A pamphlet against this section was published by J. S. Wood of St John's, and was believed to have had much influence.

Proctors; for the possession of a doctor's degree was not a qualification for the exercise of judicial functions, and it was unnecessary to have a special tribunal for such comparatively unimportant officers as the Bedells.<sup>1</sup> But the opposition was sometimes inspired by unworthy motives. There is, for instance, no doubt that the rejection of the section of the sixth chapter which continued the existence of a Heresy Board, consisting of the Vice-Chancellor and Heads of Houses, for the trial of University preachers in Great St Mary's who impugned the doctrines of the Church of England,<sup>2</sup> was largely due to the traditional dislike of the power of the Heads. It is true that the rejected section was extremely harsh, prescribing that preachers, who had so offended and refused to recant, might be punished by suspension from their degrees and banishment from the University; and it is equally true that the more enlightened members of the Senate thoroughly disliked a heresy hunt; but there is no doubt that the principal rock of offence was the composition of the Board.

Two sections of the statute about hostels were also thrown out, because they did not require the Principals of those institutions to be members of the Church of England or the students in them to attend Anglican worship. This was a singularly foolish display of bigotry. It was quite certain that Parliament had intended that the hostels should be open to persons who were not members of the Church of England, and equally certain that the Commissioners would never approve statutes which prescribed otherwise. The Cambridge University Act, moreover, authorised the Commissioners, if they had not before 1 January 1858 approved statutes presented by the University for the institution and regulation of hostels, to frame and submit to the Queen in Council such statutes without referring them to either the Council of the Senate or the Senate; and, consequently, the Commissioners could afford to wait, and the University could not. But the fanatical party, deaf to all counsels of prudence, had managed by beating what Adam Sedgwick called "the drum ecclesiastic", to persuade many non-resident clerical members of the Senate to journey to Cambridge, and it was largely due to these visitors that the reactionaries carried the day.<sup>3</sup>

<sup>1</sup> Fly-sheet, 2 March 1857, University Papers, University Library, C. 1.

<sup>2</sup> Provision for a similar Board was made by the forty-fifth chapter of the Elizabethan statutes of the University.

<sup>3</sup> Dr Philpott to General Grey, 8 March 1857; Adam Sedgwick to General Grey, 8 March 1857. Royal Archives, Windsor Castle.

Dr Philpott was not much perturbed by the result of the voting.

"I have submitted to the Council to-day", he wrote to General Grey on 13 March, "the question of revising the statutes concerning Hostels, with the view of removing objections expressed by members of the Senate, and they have come to the conclusion, which I fully expected, that they cannot alter them. The statutes will now be left to be framed by the Commissioners; and neither the Council nor the Senate will have the power to amend what the Commissioners propose."<sup>1</sup>

Nor did he think that there would be much difficulty in putting the other rejected statutes "into a form acceptable to the Senate";<sup>2</sup> and the Council seems to have shared his opinion, very quickly completing an amended version of them. Much was certainly done to conciliate the opposition. The Registrary, Librarian, Public Orator and the Esquire Bedells were placed under the jurisdiction of the Court which it was proposed to set up for those members of the University who were not *in statu pupillari*.<sup>3</sup> Changes were also made in the composition and powers of the Heresy Board, which was to be composed of the Vice-Chancellor, the three Divinity Professors, the Regius Professor of Hebrew, and the four senior doctors of divinity among the Heads of Houses, and to be unable to inflict any other punishment than exclusion from the University pulpit. Also the omission of certain clauses in the statute concerned with the Proctors made it possible to provide by Grace, if deemed desirable, that the Pro-Proctorship "should be held by the same person immediately before or after the office of Proctor, or for two or more years in succession".<sup>4</sup>

The draft statutes in their new form were submitted to the Senate on 27 March, and were all approved, though not without a certain amount of opposition. Indeed, the Grace for a new Heresy Board, though it passed the Non-Regent House without a division, narrowly escaped defeat in the other House, being carried by only a single vote.<sup>5</sup> But though the Council could congratulate themselves upon the success of

<sup>1</sup> Dr Philpott to General Grey, 8 and 13 March 1857, Royal Archives, Windsor Castle.

<sup>2</sup> Dr Philpott to General Grey, 8 March 1857, *ibid.*

<sup>3</sup> The composition of the Court was at the same time enlarged. It was to consist of the Vice-Chancellor and six, not four persons: hence its name of the *sex viri*.

<sup>4</sup> Report of Council of the Senate, 13 March 1857, University Papers, University Library, C. 1.

<sup>5</sup> See a speech by the Vice-Chancellor in the Arts School on 26 October 1857, reported in the *Cambridge Chronicle* of 31 October. Diary of J. Romilly, 27 March 1857.

their conciliatory policy, they were not out of the wood, for the draft statutes needed the approval of the Commissioners, who, having scrutinized them, communicated their comments to the Vice-Chancellor on 25 May, being careful, however, to point out in a covering letter that they were merely offering suggestions for consideration by the Council.<sup>1</sup> They took objection to certain ambiguities in the phrasing, but by no means confined themselves to mere points of detail. They expressed doubt "whether there is any advantage in retaining at the present day the distinction between the two Houses of Regents and Non-Regents, and would suggest for the consideration of the Council whether the two Houses might not for the future be merged into one, in which all members of the Senate might meet and vote together". They also very reasonably queried the advantage of preserving the distinction between what the Senate could do when it met in term time as a Congregation and out of term as a Convocation, particularly as a Convocation could convert itself into a Congregation by passing a Grace for the purpose. Another of their suggestions was that the Vice-Chancellor should be able, "before presenting any Grace of an important character to the Senate, to summon a preliminary meeting of the Senate", at which the Grace could be discussed and amendments moved; and some such procedure was very desirable. Hitherto, fly-sheets and pamphlets had been the only means of publicly expressing an opinion on a Grace announced for submission to the Senate; and as it was almost impossible by a discussion carried on in such a way to organise a party in support of, or in opposition to, any particular measure, certain academic politicians had established in February 1853 a Caucus Club, as it was called, which regularly met on the day before a Congregation to agree on a policy.<sup>2</sup> According to the *Cambridge Chronicle*, this club was very successful in securing the rejection of Graces;<sup>3</sup> but though its achievements may have been exaggerated, it was clearly very undesirable that the University should be subjected to what Whewell described as "an anonymous tyranny".<sup>4</sup> But the Council of the Senate had seen for themselves the necessity of an authorised public discussion of Graces. On 22 May 1857, that is before the comments of the Commissioners had been received at Cambridge, the Vice-Chancellor, on the advice of

<sup>1</sup> *Letter Books of the Commissioners*, vol. 1, pp. 59-61.

<sup>2</sup> Diary of J. Romilly, 9 November 1853.      <sup>3</sup> *Cambridge Chronicle*, 6 June 1857.

<sup>4</sup> Correspondence between Whewell and J. B. Phear, a member of the Caucus Club, was published in *The Times* of 15 December 1853.



the Council, announced that he would attend in the Arts School on 27 May at 2 o'clock, "in order to afford an opportunity to those members of the Senate, who may choose to meet him there, of giving and receiving information and explanations respecting the proposed new statutes for divinity professorships"; and in a letter to General Grey of 25 May, he mentioned that "if the experiment succeeds, it will be easy to extend the scheme hereafter, and establish regular meetings under specified rules for the discussion of all questions of interest in the University".<sup>1</sup> There was therefore no occasion for the Commissioners to urge this particular improvement in the legislative machinery.

But they made many other suggestions. They urged that the Michaelmas term should begin on 1 October instead of 10 October, ending, however, as before, on 16 December; that the Lent term, though continuing to begin on 13 January, should end on 7 April instead of on the tenth day before Easter; and that the Easter term should begin on 21 April instead of on the eleventh day after Easter, and end on 8 July instead of on the Friday after Commencement. Thus the terms were to be lengthened, the Easter Vacation reduced to a fortnight, and the duration of the Lent term defined without regard to the date of Easter; and as the Commissioners also recommended that undergraduates should be obliged by statute "to reside during two thirds of each term required for their degree", the educational advantages of these proposals might easily fail to appeal to Tutors and Assistant Tutors, who, for the most part, were unwilling to spend more of the year in Cambridge and, presumably, to deliver more lectures. But the Commissioners ventured on even more dangerous ground in taking objection to the seventh section of the fourth statute, which prescribed that, except the Chancellor and High Steward, every person on admission to an office in the University, tenable for longer than one year, should declare in writing that he would conform to the liturgy of the Church of England. As this provision applied to offices yet to be created, as well as to those already in existence, it was not authorised by the Cambridge University Act which only required a declaration of membership of the English Church from those admitted to an office "which has been heretofore always held by a member of the United Church of England and Ireland"; but, however warranted their criticism might be, the Commissioners would inevitably come under suspicion of scheming to secure

<sup>1</sup> Minute Book of the Council of the Senate, 22 May 1857, University Registry. Dr Philpott to General Grey, 25 May 1857, Royal Archives, Windsor Castle.

the eligibility of Dissenters for any new office established by the University. A fear that they harboured a dark design against the Church might also be aroused by their very reasonable remark that, as the University was unlikely to ask a clergyman who had attacked Anglican doctrine to preach again, they did not see the necessity of providing that the Heresy Board should be able to inflict the punishment of exclusion from the University pulpit.<sup>1</sup>

The Council replied early in June to this commentary on their draft.<sup>2</sup> They expressed willingness to propose to the Senate that the two Houses of Regents and Non-Regents should be abolished, that it should be possible to summon a Congregation in vacation, and that all important Graces should be discussed at a meeting of the Senate before being put to the vote, provided that at these preliminary meetings no vote was taken, amendment moved or decision taken; and they probably felt reasonably confident that they would have the support of the Senate for these concessions. But they must have known that they were running a risk of not receiving that support when they informed the Commissioners that "as considerable difference of opinion exists in the Council and in the Senate respecting the clause . . . giving the power of punishing preachers for heresy, the Council are prepared to recommend the omission of the words which give that power". But they were not prepared to recommend to the Senate all the suggestions of the Commissioners. Though they were willing that the Michaelmas term should begin on 1 October, and that the Easter Vacation should not extend beyond fourteen days, they insisted that the beginning and end of that vacation should be determined by the date of Easter. They stressed the undesirability of that festival ever falling within term. "Most families", they pointed out, "are accustomed to meet together at Easter, and celebrate in common the religious services of the season, and such family meetings appear to the Council to be attended with great advantages, particularly to young men at the time of life when they are students at the University." They were also unwilling that residence for two-thirds of the term should be a statutory obligation. They remarked that the statute, which they had drafted, provided that "in the computation of terms kept by any student, no term shall be accounted to have been kept, in which he has not resided during such part thereof

<sup>1</sup> The other suggestions of the Commissioners were not important.

<sup>2</sup> *Letter Books of the Commissioners*, vol. 1, pp. 62-63. Report of Council of the Senate, 16 October 1857, University Papers, University Library, C. 1.

as is prescribed by the University, and that such part shall be at least the major part"; and that therefore the University could always by Grace prescribe residence for two-thirds of a term or even longer. They also argued that the limitation of the obligation to subscribe a declaration of conformity with the Anglican liturgy to persons appointed to an office, which had always been held by a member of the established Church, was unnecessary, as the only new offices that were likely to be created were professorships; and Professors of both Universities were compelled by the Act of Uniformity to make the same declaration as the statute required. They also urged the inexpediency of drawing a distinction "between different officers in the same body".

The Commissioners found some, though not all, of these objections lacking in force. In their reply, which reached Cambridge on 26 June, they abandoned their proposal not to take account of the date of Easter, but they still maintained that residence for two-thirds of a term ought to be a statutory obligation, and that only occupants of offices, which had always been held by Anglicans, should be required to make a profession of faith.<sup>1</sup> Nor was this unreasonable obstinacy on their part. They were obliged to consider the likelihood of formidable opposition in the Senate to a Grace for extending the period of residence beyond half the term; and the Act of Uniformity, which the Council had advanced as an argument against their other proposal, might be repealed or modified by Parliament in the near future. But neither can the Council be fairly accused of acting unreasonably. They were in the unenviable position of having to satisfy both the Commissioners and the Senate; and it was clearly useless for them to make concessions to the former which the latter would reject.

In a report, dated 16 October 1857, the Council published the amendments of the draft statutes, which, having considered the remarks of the Commissioners, they proposed to submit to the Senate, of which the most important were those which changed the dates for the beginning of the Michaelmas and Easter terms, authorised a preliminary discussion of all important Graces, abolished the two Houses of the Senate, permitted a Congregation to be summoned in vacation, and rescinded the clause which enabled the Heresy Board "to prevent from preaching in the University Church anyone convicted before them of having opposed the doctrine or discipline of the Church of England". The Vice-

<sup>1</sup> Report of Council of the Senate, 16 October 1857, University Papers, University Library, C. 1.

Chancellor summoned a meeting on 26 October for a discussion of these amendments, and the opportunity thus given to raise objections to them was very freely taken. The then perhaps novel, but now hoary, argument that undergraduates did their best work in vacation was advanced against the proposal to lengthen the terms, and the division of the Senate into two Houses was defended as allowing the younger members of that body to give effective expression to their opinions. The restriction of the power of the Heresy Board was also opposed; and although the criticism that all, and not merely the most important, Graces should be discussed before being put to the vote was sensible enough, the discussion seems for the most part to have been dominated by the reactionaries.<sup>1</sup>

Two days later, the Council considered the advisability of modifying their amendments in accordance with the opinions expressed at this meeting; and, like Captain MacHeath between Polly and Lucy, they would have been far happier if either the Commissioners or the Senate had been away. But as possibly several members of the Senate, aware that the time was near at hand when they would cease to have a voice in the framing of the new statutes, might be disposed to approve many of the amendments which they disliked, and unlikely that the Commissioners would modify their attitude, the Council, though with some hesitation,<sup>2</sup> agreed to disregard most of the criticism of the Senate. They accepted the suggestion that all Graces should receive a preliminary discussion, unless the Vice-Chancellor or the Council determined otherwise, and made one other slight alteration, but, with these exceptions, they submitted the amendments unchanged to the vote of the Senate.<sup>3</sup> Their courage was not rewarded, for at a Congregation on 5 November the Senate rejected by decisive, and often very large, majorities, the Graces which changed the dates of the terms, abolished the two Houses, and deprived the Heresy Board of the power to punish.<sup>4</sup> Yet it was thought that the voting might possibly have gone the other

<sup>1</sup> *Cambridge Chronicle*, 31 October 1857. There are no official reports of these discussions, and representatives of the Press were not allowed to be present at them. They were, however, regularly reported in the *Cambridge Chronicle*, and W. H. Thompson and others commended the accuracy of the reports in that paper. *Cambridge Chronicle*, 14 November 1857.

<sup>2</sup> A motion by the Master of Magdalene to withdraw the Grace abolishing the two Houses was only lost by six votes to five. Minutes of the Council of the Senate, 28 October 1857, University Registry.

<sup>3</sup> Report of Council of the Senate, 30 October 1857, University Papers, University Library, C. 1.

<sup>4</sup> *Cambridge Chronicle*, 7 November 1857.

way if many of the neighbouring clergy, fearing an invasion of the University pulpit by Dissenters, had not attended the Congregation and steadily voted non placet.<sup>1</sup> And the result was that the Commissioners delayed further consideration of the draft statutes until a new year had begun and the Senate had lost its right of expressing an opinion.

But this was not the only legislative business upon which the Council had been engaged. Since February they had been busily at work upon the trusts and endowments of the University; but they had unfortunately entered on this subject by discussing the most suitable means for securing a larger and more efficient body of Professors, which was a dangerous way of approach. Little opposition was, indeed, invoked when on 16 February, William Bateson, who had recently become Master of St John's, moved "that it is highly expedient to have permanently resident in the University a body of Professors representing the most advanced condition of the several branches of learning and science, and to provide an adequate endowment for such a body of Professors"; but when he followed up this non-committal motion by another, which stated that "no adequate provision for the endowment of existing professorships, still less for new professorships, can be secured except by the appropriation of a portion of the revenues of the colleges to that purpose", trouble began. Bateson's second motion was not put to the vote, but there was an acrimonious debate on 2 March, when he asked the Council to agree that professorships, new and old, could not be properly endowed unless the colleges came to the aid of the University. Harsh words, such as robbery and spoliation, were thrown about, and the motion was only carried by seven votes to six.<sup>2</sup>

With opinion so sharply divided, it was useless for Bateson to carry his attack further, and he lost nothing by not doing so, as the Commissioners could be relied upon to raise the question with the colleges. The Council therefore turned to the more profitable tasks of framing new statutes for the Lady Margaret and Norrisian Professorships, and, in accordance with the recommendations of the Royal Commission, of establishing a new Professorship of Divinity and endowing it out of the Hulsean benefactions. John Hulse, who died in 1790, had bequeathed his estates in Cheshire, which were of considerable value, for the maintenance, among other purposes, of a Christian Advocate and a Christian

<sup>1</sup> Diary of J. Romilly, 5 November 1857.

<sup>2</sup> Minutes of the Council of the Senate, 13 and 16 February, 2 March 1857, University Registry. Diary of J. Romilly, 2 March 1857.

Preacher or Lecturer. The Christian Advocate was charged to refute in writing the attacks of Atheists and Deists against revealed religion, but not to concern himself "with any particular controversies or sects amongst Christians themselves, except some new and dangerous error either of superstition or enthusiasm, as of Popery or Methodism, . . . shall prevail"; and the Christian Preacher had to deliver twenty sermons in the course of the year at Great St Mary's upon the evidence for Revealed Religion and other similar topics. Unfortunately, these foundations had not fulfilled expectations. There were few candidates for the office of Christian Advocate, and though the number of sermons required of the Christian Preacher had been reduced by the Court of Chancery from twenty to eight, "the occupation of the University pulpit by the same preacher on the same subject for so long a period"<sup>1</sup> was, as can be easily imagined, sometimes a severe trial. The Royal Commissioners had therefore suggested that these benefactions might be diverted to the endowment of a new Professorship of Divinity.

On 15 May 1857 the Council published draft statutes for the Lady Margaret and Norrisian Professorships and a Hulsean Professorship of Divinity. The regulations, which had hitherto governed the two existing chairs, were very thoroughly revised, many obsolete and useless provisions being scheduled for cancellation, and others introduced with the object of insuring that the two Professors discharged their duties more efficiently. Each of them, for instance, was to reside annually within one and a half miles of Great St Mary's Church during eighteen weeks, of which six must be in term time, and to be under the supervision of a Board which had authority to prescribe the number, length and general character of the lectures delivered. The Hulsean Professor was placed under the same regulations, but the draft statutes applicable to him also provided that he was to receive "the stipends and profits assigned by Mr Hulse to both the offices of Christian Advocate and Lecturer, and to be elected by the Vice-Chancellor, the Masters of Trinity and St John's, and four members of the Council of the Senate".<sup>2</sup>

The Vice-Chancellor summoned members of the Senate to the Arts School on 27 May for a preliminary discussion of these proposals of

<sup>1</sup> *University Commission Report* (1852), p. 69; J. W. Clark, *Endowments of the University of Cambridge* (1904), pp. 117-121.

<sup>2</sup> Report of the Council of the Senate, 15 May 1857, University Papers, University Library, C. 1. The Vice-Chancellor and the Masters of Trinity and St John's were the trustees for Hulse's benefactions.

the Council; and as this was the first time that such a meeting had been held, he was well satisfied with an attendance of between thirty and forty persons, particularly as there was a "rival attraction of a horticultural exhibition in Trinity College grounds".<sup>1</sup> Though "the novelty of the occasion prevented some timid men from saying anything",<sup>2</sup> opinions were freely expressed by the bolder spirits; and most of the adverse criticism seems to have been directed against the proposal to abolish the offices of Christian Advocate and Christian Lecturer.<sup>3</sup> But as this criticism struck at the root of the scheme for the creation of a new divinity chair, the Council decided to disregard it, and to present the statutes unchanged to the Senate on 4 June.

In accordance with what had become an established practice, the statutes were voted upon section by section. For reasons impossible to fathom, the Grace for the repeal of the provision in the foundation deed of the Lady Margaret Professorship, which directed the Professor to lecture four times a week during term and the Long Vacation,<sup>4</sup> was rejected in the Non-Regent House, though only by a single vote. It is equally difficult to understand why the Grace for the repeal of the regulation, which compelled the Norrisian Professor to stand for re-election every five years, was also rejected. But it is intelligible enough that there was a majority against the Graces for those sections of the new statutes which provided, as of old, that the Lady Margaret Professor should be elected by the Doctors and Bachelors of Divinity, and which completely subjected the three Professors to a Board of Supervision. The Lady Margaret Professorship had practically become an appanage of St John's, as the Fellows of that college were under a statutory obligation to proceed to the degree of Bachelor of Divinity, and were therefore no inconsiderable part of the electing body;<sup>5</sup> and though the foundress of the chair would presumably have wished that the college, which she had also founded, should enjoy it, the University was of a different mind, and very much disliked the monopoly by one college of a very valuable professorship. The opposition to the extensive authority assigned to the Board of Supervision was also justified; the Council, in their anxiety to make sure that the Professors did not neglect

<sup>1</sup> Dr Philpott to General Grey, 29 May 1857, Royal Archives, Windsor Castle.

<sup>2</sup> *Ibid.* <sup>3</sup> Diary of J. Romilly, 27 May 1857.

<sup>4</sup> Except during Lent.

<sup>5</sup> The statutes of a few other colleges also imposed the same obligation upon their Fellows, but none of them had as many Fellows as St John's.

their duties, had clearly overshot the mark and unnecessarily restricted their freedom.

But the greatest disappointment of the day was the rejection by a large majority of the first section of the statutes for the Hulsean Professorship; for, as it established the chair, the remaining sections were not put to the vote.<sup>1</sup> "The decision of the Senate . . . with reference to the foundation of Mr Hulse", remarked the *Cambridge Chronicle*, "must prove unmistakably to the world that the University is far indeed from being indifferent to religious error, against which that excellent man attempted to provide a succession of able champions."<sup>2</sup> This interpretation of the vote is probably correct, for as the new Professor was not directed to defend Revealed Religion, the cry could be raised that the disappearance of the Hulsean Advocate and Preacher seriously impoverished the armoury of Christian apologetics.

As it was useless to send these statutes to the Commissioners in their mutilated state, the Council endeavoured to come to terms with the Senate. Leaving aside for the moment the Hulsean Professorship, they published on 16 November a revised version of the statutes for the two other chairs. They did not make a complete surrender. They still asked the Senate to dispense the Lady Margaret Professor from lecturing four times weekly, and free the Norrisian Professor from the obligation to stand for re-election every five years; but with far less justification they retained the provision for the election of the Lady Margaret Professor by the Doctors and Bachelors of Divinity. They, however, substantially reduced the power of the Board of Supervision.<sup>3</sup>

These revised statutes were discussed at a meeting in the Arts School on Monday, 23 November, and criticism was not confined to the proposal that the Lady Margaret Professor should be elected as the deed of foundation prescribed. Though the restriction of the authority of the Supervising Board gave general satisfaction, regret was expressed that its composition should be left to be wholly determined by Grace. It was argued that the Professors, whom it would control, ought to be members of it, and that there could be no guarantee that they would be, unless the statutes so provided. The then occupants of the two chairs, William Selwyn and Harold Browne, who were both on the Council of the

<sup>1</sup> Diary of J. Romilly, 4 June 1857; *Cambridge Chronicle*, 6 June 1857.

<sup>2</sup> *Cambridge Chronicle*, 6 June 1857.

<sup>3</sup> Report of Council of the Senate, 16 November 1857, University Papers, University Library, C. 1.



Senate, joined in the discussion in support of this objection; and Selwyn declared that, though he had refrained from going to what he described as the "extreme length of withholding his name from the report", he was prepared to vote against it in its present form.<sup>1</sup> As the Council had never intended to exclude the Professors from the Board,<sup>2</sup> they readily agreed to make the desired alteration in the statutes before putting them to the vote of the Senate on 3 December;<sup>3</sup> but as they did not change the section concerned with the election of the Lady Margaret Professor,<sup>4</sup> it was rejected in the Senate House by seventeen votes to seven.<sup>5</sup>

On 5 December the Council published a new version of the proposed statutes for the Hulsean Chair, having drastically revised their earlier draft. With the object of protecting themselves against the accusation of indifference to the defence of Christianity, they only assigned the endowment of the office of Hulsean Advocate to the new professorship, thus permitting the Hulsean Preacher to continue, and they further

<sup>1</sup> *Cambridge Chronicle*, 28 November 1857.

<sup>2</sup> The Vice-Chancellor said so at the meeting in the Arts School on 23 November.

<sup>3</sup> The Board was to consist of the two Professors and such other persons as might be appointed by Grace.

<sup>4</sup> Report of Council of the Senate, 27 November 1857, University Papers, University Library C 1.

<sup>5</sup> Diary of J. Romilly, 3 December 1857. The Senate had previously agreed to a reduction in the stipend of the Lady Margaret Professor, which indeed had been first proposed by the Professor himself. In June 1855 William Selwyn and Harold Browne, the Norrisian Professor, had stood for the Lady Margaret Chair, and the former had only been elected by the casting vote of the Vice-Chancellor. Some of Browne's friends and supporters, though not Browne himself, disputed the validity of the election; and although no legal action was taken, many believed that a great wrong had been done. Selwyn behaved with great dignity and kindness. Being comfortably off, he wrote to the Vice-Chancellor on the day he was elected, and offered not only to consent to any arrangement approved by the University for reducing the income of the Lady Margaret Professorship, but proposed that he should immediately resign part of it in favour of the Norrisian Professorship, which was poorly endowed and barely sufficed to support Browne, who had a large family and small private means. After some delay it was agreed that Selwyn should make an annual payment of seven hundred pounds to the Vice-Chancellor, which should be used to augment the stipend of the Norrisian Professorship as long as Browne occupied that chair, and that if he vacated it during Selwyn's tenure of the Lady Margaret Professorship, "the sum of seven hundred pounds should be appropriated to the encouragement of theological learning, in such manner as the Senate, with the consent of the Lady Margaret Professor, should determine, either by the continued augmentation of the Norrisian Professorship or in some other way". This arrangement was approved by a Grace passed on 14 May 1856, and was only slightly modified by a Council Report of 21 October 1857, which recommended that about one-third of the endowment of the Lady Margaret Chair should be assigned to the Norrisian Professorship. This recommendation was approved by the Senate, and, subsequently, by the Commissioners.

added a provision that the Professor, when selecting the subjects of his lectures, should pay due regard to the directions which Hulse had given. A change was also made in the composition of the electing body, the Lady Margaret and the Regius Professors of Divinity being substituted for the four members of the Council originally proposed.<sup>1</sup> These modifications achieved their purpose, for though the revised form of the statute was critically discussed at a meeting in the Arts School on 9 December,<sup>2</sup> it passed the Senate without mutilation on 15 December.<sup>3</sup>

But when on 23 March 1857 the Council began to consider the regulations for the three Regius Professorships of Divinity, Hebrew and Greek, they had to take into account the sentiments of Trinity as well as those of the Senate and therefore had a particularly dangerous hurdle to cross before they could reach the Commissioners. They seem, however, to have been fairly united in opinion on the changes that should be made; and, apparently without much difficulty, agreed to abolish the oath required of the electors, to discontinue the examination of the candidates, and to omit those clauses which prescribed that Fellows of Trinity should be preferred to other candidates, that the Greek and Hebrew Professors must at least be Masters of Arts, and that a doctorate in any faculty was a disqualification for the Greek Professorship. They also considerably reduced the number of lectures which the Professors were obliged to give; but their most dangerous innovation was the removal from the Board of Electors of the two Senior Fellows of Trinity in favour of "the holders of the other two professorships on the same foundation". They, however, deliberately refrained from amending those sections of the statute, which defined the status and privileges of the Professors in Trinity, holding that it was for the college to propose changes in these provisions; and on 24 April, after some verbal alterations had been made, the Council agreed that the "proposed statute, thus revised, should be transmitted to Trinity College for its consideration". The Vice-Chancellor promptly carried out this instruction, and at the same time requested the college to amend those sections which, as they more particularly concerned it, had been left untouched by the Council.<sup>4</sup>

As the Senior Bursar of Trinity had already prepared a revised version of those sections, the college could have done without much difficulty

<sup>1</sup> Report of Council of the Senate, 5 December 1857, University Papers, University Library, C. 1.

<sup>2</sup> *Cambridge Chronicle*, 12 December 1857.

<sup>3</sup> Diary of J. Romilly, 15 December 1857.

<sup>4</sup> Minutes of the Council of the Senate, 23 and 26 March, 24 April 1857, University Registry. Minutes of Trinity College Governing Body, 8 May 1857, Trinity College Documents.

what the Council asked; but the Seniority, to whom the Vice-Chancellor's message was communicated on 25 April, agreed that the college should take no action, not even to the extent of considering Martin's amendments, until "an entire scheme of the forty-first statute" had been received.<sup>1</sup> This was churlish and unintelligible behaviour. It is possible, though by no means certain, that the Seniority wrongly believed that they were not invited to amend the Council's draft; and if there was this misunderstanding, it was quickly cleared up.<sup>2</sup> On 1 May the Vice-Chancellor, acting under instructions from the Council, returned the draft statute unchanged to the college, "with an intimation that the Council will be ready to consider any suggestions for alteration or addition thereto";<sup>3</sup> and on the following day the Seniority decided to submit the draft to the College Governing Body, which was summoned to meet on Friday, 8 May.

At this meeting, which was attended by thirty-five Fellows, the Master moved that the draft statute should be approved; but his motion was rejected by a large majority. Objection was taken to the displacement of the two Senior Fellows of Trinity on the board of electors by two Professors. Selfishness and college pride were only in a slight degree responsible for this opposition. It is true that about eight of the Fellows, led by H. R. Luard, desired to press for the retention of the two Seniors; but the general feeling was that the college ought not to surrender an ancient privilege unless assured of thereby benefiting the University, and that an electing body, consisting entirely of Heads of Houses and Professors, was open to grave objections. It was therefore agreed by twenty-seven votes to eight "that the Governing Body of Trinity College are prepared to resign the privilege, which has hitherto belonged to two of the Senior Fellows of the college, of having a voice in the election of the Regius Professors of Divinity, Hebrew and Greek, provided that a satisfactory board of electors be substituted for the existing one". It was also agreed to inform the Council that the college desired a more representative electing body.<sup>4</sup>

<sup>1</sup> Diary of J. Romilly, 24 and 25 April 1857.

<sup>2</sup> In the Minutes of the Trinity College Governing Body, 8 May 1857, it is stated that the Vice-Chancellor on 24 April "sent a draft of the proposed statute, so far as concerns the electors, and requested the college to undertake the revision of the remaining part"—Trinity College Documents.

<sup>3</sup> Minutes of the Council of the Senate, 1 May 1857, University Registry.

<sup>4</sup> Minutes of Trinity College Governing Body, 8 May 1857, Trinity College Documents. Diary of J. Romilly, 8 May 1857.

The Council accepted the guidance offered, and on 15 May by eight votes to three approved Sedgwick's proposal that the three Regius Professors should be chosen by the Council, whose claim to represent the University could not be disputed.<sup>1</sup> At further meetings a few other changes were made, but none of any great importance; and at the end of May the amended draft was returned to the college. It did not have a very favourable reception. There was a good deal of criticism when it was considered by the Governing Body on 9 June, and though it was carried by nineteen votes to ten, some of the Fellows in the majority disliked many of its provisions. Assuming, however, that it would be submitted to the Senate section by section, they thought it best to defer their opposition.<sup>2</sup>

At the same meeting Martin's scheme for the revision of that part of the statute, which the Council had left to the college, was, after being slightly amended, also carried by a large majority. But it was not intended to submit it either to the Council or the Senate: it was considered to be a college statute and in no way to concern the University. In a letter to the Vice-Chancellor, written immediately after the meeting on 9 June, Whewell, having stated that the Governing Body had approved the Council's draft, and would be glad to receive "the document to which it is desired that the college seal be affixed", went on to say "that the meeting of the Governing Body at the same time agreed to a new college statute respecting the Professors, of which I send you a copy. This new statute we shall submit to the University Commissioners, as soon as the new University statute has made some progress".<sup>3</sup>

The Vice-Chancellor was much perturbed. As he understood the Cambridge University Act, it was for the Council to frame the new statute, and for the college to approve it; and though he and the Council had wisely decided that the college should revise those sections of the existing statute, which immediately concerned it, they had never contemplated the possibility of two separate statutes. Therefore, on receiving Whewell's letter, he enquired of the Commissioners whether "they were prepared to receive from the college a statute affecting the three Regius Professorships, in addition to the statute made by the University"; and received the answer that "all regulations affecting the

<sup>1</sup> Minutes of Council of the Senate, 15 May 1857, University Registry.

<sup>2</sup> Minutes of Trinity College Governing Body, 9 June 1857, Trinity College Documents. Diary of J. Romilly, 9 June 1857.

<sup>3</sup> Minutes of Council of the Senate, 2 July 1857.

Regius Professorships should be included in one and the same statute, and that such statute should be made by the University, but should purport on the face of it to be made with the assent of Trinity College".<sup>1</sup>

Consequently, the Council acted perfectly correctly when on 14 October it decided to incorporate Martin's amended scheme in the University statute; and to submit "the whole as a new statute to the college for its assent under seal".<sup>2</sup> But many of the Fellows of Trinity were angry that the college was not allowed to proceed independently,<sup>3</sup> and the draft statute narrowly escaped rejection when it came before the Governing Body on 17 October. Luard, Edleston, Hotham and W. G. Clark were in favour of the college insisting upon two statutes, and Hotham was particularly insistent. Other of the Fellows raised objections to some of the provisions; and although only one trifling amendment was actually carried, the issue was hanging in the balance until the very last moment. When the statute was put to the vote, eighteen of the Fellows were on one side and eighteen on the other; but as Whewell voted for it, there was a majority of one.<sup>4</sup> The Duke of Wellington would doubtless have described the victory as "a damned nice thing—the nearest run thing you ever saw in your life"; and so indeed it was, for John Grote, who had come to the meeting with the intention of voting against the statute, changed his mind in the course of the discussion, having convinced himself that there was nothing to be gained by prolonging the contest with the Council.

<sup>1</sup> *Letter Books of the Commissioners*, vol. 1, p. 68.

<sup>2</sup> Minutes of the Council of the Senate, 12 and 14 October 1857.

<sup>3</sup> Whewell was also angry, and an undated draft of a letter from him to the Vice-Chancellor runs as follows: "I have mentioned at a college meeting your intention, which you communicated to me, of proposing that the statute made by the Council relative to the three Regius Professors should contain what is proposed to make statute the college, as well as what was proposed by the Council: and your notice that the University Commissioners approve of such a course. I am not authorized to give any formal answer to this communication, but I may mention to you that at the meeting the opinion seemed to prevail that the college would wish that rules respecting its internal arrangements should not be proposed by any external body, and also that the Commissioners, if they urged such a course, would be going beyond their commission." Minutes of Trinity College Governing Body, Trinity College Documents.

<sup>4</sup> Minutes of Trinity College Governing Body, 17 October 1857, Trinity College Documents. Diary of J. Romilly, 17 October 1857. According to the Minutes the Master and thirty-seven Fellows attended the meeting, but Romilly states that thirty-six Fellows were present, and that their votes were equally divided. Both accounts, however, agree that the votes were nineteen to eighteen.

The Council accepted the single amendment, and were probably much relieved not to be asked to accept more.<sup>1</sup> But the danger from Trinity was not over. The votes of the Master and of at least eight of the sixteen senior Fellows were required for the college seal to be affixed to a document; and on 22 October only the Master and nine of the sixteen seniors voted for the sealing of the new statute.<sup>2</sup> Short of rejection, Trinity had made as many difficulties as it possibly could.

Heroes of romance, after encountering great perils and having many hair-breadth escapes, always finally triumph; but the progress of this sorely tried statute had no such happy ending. When it was discussed at a meeting in the Arts School on 9 November, objection was freely taken to the appointment of the Professors by the Council; but the Council was unwilling to accept this criticism, for, if they did so, they must refer the whole statute back to Trinity, which would certainly be dangerous. Nor, for the same reason, was it advisable to follow the usual practice and submit the statute section by section to the Senate, for the rejection of a single section would also necessitate a return to Trinity. It was a choice between two evils, and the Council chose what they thought to be the lesser. On 26 November they submitted the statute unmodified and as a whole to the Senate; and it was rejected in the Non-Regent House by four votes.<sup>3</sup>

It would be both tedious and bewildering to review all the legislative activities of the University during this Michaelmas term. In rapid succession the Council framed statutes for most of the existing professorships, for a new mathematical professorship<sup>4</sup> and for the numerous scholarships, prizes, trusts and endowments of the University; and these were all discussed, sometimes at very great length, at meetings in the Arts School before being voted upon in the Senate. The Council frequently took account of such criticism and revised their draft statutes;

<sup>1</sup> Minutes of the Council of the Senate, 19 October 1857.

<sup>2</sup> Diary of J. Romilly, 22 October 1857.

<sup>3</sup> *Ibid.* 26 November 1857.

<sup>4</sup> Early in the eighteenth century, in pursuance of the will of Lady Sadler, algebra lectureships were established in nine and, eventually, in all the colleges; but these lectureships in practice did little to increase the provision of instruction in mathematics, as they were generally held by mathematical Tutors. The Council therefore recommended that they should be abolished, and that Lady Sadler's endowment should be used partly to establish a new Mathematical Professorship and partly to augment the stipends of the Lucasian and Plumian Professors. *University Commission Report* (1852), pp. 68-69; C. H. Cooper, *Annals*, vol. IV, p. 77; Report of Council of the Senate, 16 November 1857, University Papers, University Library, C. I.

and, if they omitted to do so, sometimes suffered a rebuff, in which case they generally recast their draft and returned it to the Senate. Doubtless it would often have been better if they had given way earlier; but, as they must have often found great difficulty in estimating the strength of the opposition to their proposals, they cannot be fairly accused of unreasonable obstinacy. The Senate also showed commendable moderation, and before the end of the Michaelmas term they had approved most of the statutes which the Council had proposed for the professorships, scholarships, prizes, trusts and endowments of the University. But, owing to the delay occasioned by the frequent discussions in the Arts School, many of these draft statutes passed by the Senate did not reach the Commissioners in time to be considered before 1 January 1858 and therefore the labour expended on them was in peril of being wasted. For from that day the Commissioners were free to frame statutes which, if approved by the Queen in Council, were binding on the University, unless within two calendar months of their submission to the Council under seal two-thirds of the members of that body had protested in writing against them.

But the Senate and the Council had by no means laboured entirely in vain. Fifteen statutes for various scholarships, prizes and endowments, which the Council had drafted and the Senate passed, were accepted by the Commissioners before the end of the year, 1857, and at once sent to the Privy Council.<sup>1</sup> The Commissioners, moreover, had little fault to find with the statute "for the establishment and regulation of Hostels within the University", which the Council had drafted and the Senate had rejected. But it was only a very small fragment of what they had received that they were able to accept without very substantial modifications; and the final form of the new University code was to a great extent their handiwork.

There is ample evidence that the Commissioners took account of the wishes of the University. When in June 1860 their Secretary sent a batch of statutes to the Privy Council, he explained that many of them had not originated with the Commissioners.

"The greater part of the provisions of the statutes in question", he remarked, "were adopted from certain statutes for the same purpose, which were framed by the Council of the Senate of the University in 1857, and . . . were accepted by the Senate in the same year. . . . The Commissioners . . . were naturally desirous, with a view to securing the assent of the University, to base their new

<sup>1</sup> *Letter Books of the Commissioners, passim.*

enactments, as far as possible, upon those which had been already submitted to them by the Senate."<sup>1</sup>

Also by other means the Commissioners endeavoured to make their code acceptable to those who would have to work it. With the exception of the hostel statute, with which they alone were now concerned, they invariably submitted the first drafts of their statutes informally to the Council with a request for comments; and the criticism thus elicited was always very carefully considered, and not infrequently accepted. Consequently, there was seldom trouble when the Commissioners sent their statutes to the Council under seal.

But differences of opinion could not be entirely avoided, and difficulties arose when in February 1858 the Commissioners asked the Council to give a preliminary consideration to statutes which made no provision for a Heresy Board, compelled undergraduates to reside for two-thirds of each term, and did not require all holders of an academical office, tenable for longer than one year, to subscribe a declaration of conformity with the liturgy of the Church of England.<sup>2</sup> As the Council had previously agreed that the Heresy Board should not be empowered "to prevent from preaching in the University Church any one convicted before them of having opposed the doctrine or discipline of the Church of England", they could not reasonably insist that it should continue to exist;<sup>3</sup> and, after voting in favour of pressing for its retention, finally decided not to do so.<sup>4</sup> They were also prepared to accept the statutory requirement of residence during two-thirds of the term for the Michaelmas and Lent, though not for the Easter, term; but with regard to subscription they were unwilling to yield an inch. "The Council", wrote the Vice-Chancellor, "desire to repeat the opinion which they expressed, 5 June 1857, against the alteration suggested. The clause proposed to be omitted does not appear to them inconsistent with recent legislation, and they wish to have every possible security

<sup>1</sup> *Letter Books of the Commissioners*, vol. III, pp. 22-26.

<sup>2</sup> *Ibid.* vol. I, pp. 180-181.

<sup>3</sup> The Commissioners, however, retained the sentence, "Nemo doctrinam aut disciplinam ecclesiæ anglicanæ legibus publicis stabilitam concionando in academiæ templo oppugnet."

<sup>4</sup> At a meeting of the Council on 15 February 1858, Professor Browne moved, and the Master of Jesus seconded, a motion that "some remarks be addressed... to the Commissioners respecting the omission... of the clause constituting a Court for trying offences against the doctrine or discipline of the Church of England". This was carried by seven votes to four; but when the remarks, drawn up by the proposer and seconder of the motion, were submitted to the Council on 26 February, they were rejected. Minutes of the Council of the Senate, University Registry.



that the officers of the University shall conform to the liturgy of the Church of England".<sup>1</sup>

The Commissioners, however, stood their ground, and returned the statutes under seal unchanged except in one small detail.<sup>2</sup> Further resistance was therefore out of the question unless two-thirds of the members of the Council were prepared to sign a protest, and as no such protest was made, the statutes, after an interval of two calendar months, were transmitted to the Privy Council for approval.<sup>3</sup>

Yet, though the Commissioners were generally firm, they were also invariably conciliatory. When, for instance, they submitted to the Council statutes for the Craven Scholarships, with certain clauses in the draft passed by the Senate omitted, because they involved "the assumption of a power to deal with the trust estate and funds of the Craven Scholarships, which the Commissioners do not conceive themselves to possess", they pointed out that they had made certain other changes, in the hope that the University would be thereby enabled to deal as freely with these scholarships as was "consistent with the nature and provisions of the trust created by Lord Craven"; and though the Council pressed for the re-insertion of the omitted clauses, they did not go to the length of making a formal protest.<sup>4</sup> Indeed, the Commissioners were possibly sometimes too conciliatory. Thus they would have done well to have constituted a less unwieldy and more competent electing body to the Lady Margaret Professorship than the Doctors and Bachelors of Divinity, but they did not even propose a change in the mode of election, fearing perhaps that the Council, which had refused this concession to the Senate, might object. It is also legitimate to question their wisdom in withdrawing their proposal that part of the Worts' Endowment should be used for the establishment of a Professorship of Modern Languages;<sup>5</sup> but they at least achieved their purpose of revising the statutes of the University without causing offence. The Council very rarely exercised their right of protest against the statutes sent to them under seal; and, when

<sup>1</sup> Report of Council of the Senate, 21 April 1858, University Papers, University Library, C. 1.

<sup>2</sup> By a change in the date of the end of the Easter term, the Commissioners reduced its total length by one week, thereby making the requirement to reside during two-thirds of it slightly less onerous.

<sup>3</sup> *Letter Books of the Commissioners*, vol. 1, p. 204.

<sup>4</sup> *Ibid.* vol. 1, pp. 227-229; vol. 2, pp. 188-190, 214; vol. 3, p. 144. The Commissioners took the same objection to the statutes which they had received from the University for the Smith's Prizes and the Worts' endowment. *Ibid.* vol. 1, pp. 227-229.

<sup>5</sup> *Letter Books of the Commissioners*, vol. 1, pp. 227-229.

they did so, their objections were not so fundamental that the Commissioners were unable to remove them without sacrificing their principles.<sup>1</sup>

In the new academical world created by the revised code, many familiar features of the old were missing. The Heresy Board and the "Ten-Year" men, the former regretted but the latter unbemoaned, were no longer to be found.<sup>2</sup> Nor were the Taxors and the Scrutators, for there was nothing left for them to do.<sup>3</sup> Another link with the past was severed by the disappearance of the Regent and Non-Regent Houses; and the lighter side of University life suffered a temporary eclipse by the exemption of Inceptors in Arts and Doctors from personal attendance at the Commencement for the ceremony of creation. Many years later, Adam Sedgwick, writing to his niece from a deserted college, dwelt fondly and regretfully upon the glories of the Commencement in bygone days. "At this season . . . all was bright and gay," he wrote, "as the young M.A's often brought their wives and sisters, and we had a week of festivities and dances and concerts, and every third year there was a *Grand Commencement*, when we had during the week three oratorios and one or two concerts."<sup>4</sup> But it was a better if a slightly more drab world. The University was not only relieved of an intolerable burden of antiquated and vexatious regulations: it acquired far more freedom than it had ever hitherto enjoyed. Unlike the Elizabethan code, the new statutes did not attempt to create a rigid and all-embracing legislative system. Many matters, as for instance examinations, were left to be dealt with by ordinance, so that the University could easily adapt its educational machinery to changing requirements.

<sup>1</sup> *Ibid.* vol. II, p. 110; Minutes of the Council of the Senate, 6 and 13 May 1859, University Registry.

<sup>2</sup> The right of proceeding to the degree of Bachelor of Divinity, without having previously taken the degree of Master of Arts, was, however, reserved for those who, being otherwise qualified, "antequam haec statuta sancita sint, in collegium aliquod anno actatis suae vicesimo quarto peracto, admissi sint".

<sup>3</sup> As the University had ceased to supervise weights and measures, the Taxors had no functions, and a Grace passed in June 1856 discontinued their salaries. One instead of two Taxors was appointed in the following October, but that one was the last of a long line. Diary of J. Romilly, 18 July 1857; Cobper, *Annals*, vol. v, p. 221. The Scrutators were the tellers in the Non-Regent House and were therefore not required when the Senate ceased to be divided into two Houses.

<sup>4</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. II, pp. 447-448. But the glories of the Commencement had begun to fade before the new statutes were framed or even thought of. "Took a delightful walk on Clare Hall Piece", recorded Romilly in his diary on Sunday, 5 July 1846: "not a single scarlet clad doctor, and the brilliance of Commencement Sunday is utterly gone."

In accordance with this principle the Commissioners declined to make statutory provision for an entrance examination to the University when pressed to do so by J. J. Smith of Caius, who had for many years advocated this particular reform. "The Commissioners", they informed him, "fully admit the importance of the subject to which you have directed their attention, but they consider it to be one which had better be left to the discretion of the University itself. The Commissioners have not in any instance thought fit to frame statutes with regard to the examinations at the University, and they do not see any reason for making an exception in this case."<sup>1</sup> Their vision was faulty on this occasion, for they would have been amply justified in making this exception to their rule by the known inclination of the colleges to oppose a restriction of their freedom in recruiting undergraduates; but the rule was certainly a good one.

More liberty was also given in other ways. The University was enabled to grant honorary degrees far more freely than in the past, and to confer degrees, without applying for a royal mandate, upon deserving graduates and officers of the University, who had not fulfilled the statutory requirements for them. But if many doors were opened, others were shut or half closed. The little that remained of the ample privileges, which undergraduates of rank and lineage had enjoyed under the Elizabethan code and subsequent enactments, was still further restricted; and the Professors and other officers of the University were bound to residence. The Commissioners, moreover, extended a reform, which had already started on its way, by providing for the appointment of boards to review "the more important departments of study recognised in the University, and to co-ordinate the lectures of Professors"; and in this and other directions they displayed a creditable readiness to build upon foundations which the University had already laid. They have been criticised for over-caution and misplaced tenderness; but their lack of ruthlessness was more of a merit than a defect. It was of the utmost importance that the University should have no excuse for thinking that reform was incompatible with its historic continuity; and the Commissioners certainly gave it no such excuse. They were not mere theorists, striving to attain ideal perfection: they worked for a near and not a distant future, starting the University on the road to freedom and efficiency, and deliberately doing no more. The journey was unending, and it was wise not to dishcarten the traveller.

<sup>1</sup> *Letter Books of the Commissioners*, vol. III, p. 120.

## Chapter XV

### THE STATUTORY COMMISSIONERS AND TRINITY COLLEGE

THE Statutory Commissioners, as they probably anticipated, encountered far greater resistance from the colleges than from the University. It was their duty to press reforms which threatened fundamentally to change the character of college life, and they were therefore suspected of a design to destroy a great heritage. Many of the Fellows were blinded by familiarity to defects and abuses which were very obvious to more detached observers, and, even when they partially recognised them, they were inclined to minimise them. They believed, rightly or wrongly, that their college had prospered under the statutes which were being assailed, and feared that it might not continue to do so if the old order gave place to a new. By no means all of them were reactionaries opposed to any change, and some of the most vigorous protests came from those who had constantly been urging the University to throw off its mediaeval trappings. The leader of the academic reform party, Adam Sedgwick, unmistakably flinched from the spectre of reform when it appeared on his own hearth, and many of his followers were no more courageous.

Each college waged its own battle with the Commissioners, and the contests varied in intensity. Jesus, for instance, was particularly recalcitrant, having Dr Corrie as its master;<sup>1</sup> while King's was commended by the Commissioners for its "candid and friendly disposition".<sup>2</sup> A readiness to accept reform was, however, exceptional, and most of the colleges desired to remain much as they were. But as they generally raised the same objections, a description of the separate campaigns would entail much wearisome repetition, and therefore only the story

<sup>1</sup> G. E. Corrie, *Remarks on the Report made . . . by the Cambridge University Commissioners respecting certain Statutes proposed by them to Jesus College, and to which the Governing Body of that College objected* (1861).

<sup>2</sup> *Letter Books of the Commissioners*, vol. 1, pp. 338-340. A Fellow of King's confided to Romilly that his college "had a bad case to start with". *Diary of J. Romilly*, 15 April 1859.

of the struggle waged by one college, Trinity, will be told.<sup>1</sup> For Trinity bore, with St John's, the full brunt of the battle. In a report to the Home Secretary, dated 27 June 1859, the Secretary of the Commissioners remarked that, though considerable progress had been made, they could not press to a final conclusion their demands upon the colleges until they had "ascertained the result of the proposals made by them to the two great colleges of Trinity and St John's."<sup>2</sup> Thus the other colleges looked to Trinity and St John's to defend them against the Commissioners, as Europe had formerly looked to the Byzantine Empire for protection against the invading hordes of the East.

As, however, the other colleges were not interested in the fate of those provisions of the Trinity statutes which were concerned with the three Regius Professorships and the award of scholarships to boys educated at Westminster School, it may be as well, before embarking upon the main narrative of statutory revision, to describe the changes which these particular provisions underwent. There is, however, very little to add, as far as Trinity is concerned, to the story of the revision of the forty-first chapter of its code, for after the revised draft, upon which the college and the Council had agreed, had been rejected by the Senate, Trinity was relegated to a very subordinate position. At the end of July 1858 the Commissioners unofficially communicated to the Council the statute they had framed for the three Regius Professorships;<sup>3</sup> and though ten days later they also sent it to Whewell, they took the opportunity to inform him that "the Commissioners are of opinion that the provision in the 30th section of the Cambridge University Act, requiring the assent of Trinity College to any statutes framed by the Council affecting the Regius Professorships in question, does not apply to any statute framed by the Commissioners".<sup>4</sup> The college did not apparently challenge this interpretation of the Act, and had really no occasion to do so, as the Commissioners had not dealt in

<sup>1</sup> An article, in *The Times* of 27 October 1858, contains the statement that the colleges "have failed, one and all, to come to terms with the Commissioners; and the proposals at length definitely made by the Commissioners to the colleges have met with a resistance, . . . determined and universal".

<sup>2</sup> *Letter Books of the Commissioners*, vol. 1, pp. 338-340.

<sup>3</sup> *Ibid.* pp. 221-222.

<sup>4</sup> E. H. Bunbury to W. Whewell, 10 August 1858, Whewell Papers. Bunbury, however, added that "though the formal assent of Trinity College is not required, the Commissioners will be glad to receive, before submitting the proposed statutes formally to the Council, any remarks which either yourself or your college may desire to offer in regard to them".

their statute with "the revenues of the Professorships or with their status in regard to Trinity", reserving these questions "for future consideration in connection with the statutes of Trinity".<sup>1</sup> Indeed, calm followed the storm of the year before. The statute of the Commissioners was much the same as that which the Senate had rejected; and after it had been very slightly modified, the Council accepted it. Nor did Trinity cause trouble: the college was quite willing to pay each of the Professors, as heretofore, an annual stipend of forty pounds, and to continue them on the foundation.<sup>2</sup>

Trinity had been connected with Westminster almost as long as with the Professors. The statutes, which Queen Elizabeth gave the college in 1560, directed that the boys of that school should be preferred to other candidates for scholarships,<sup>3</sup> and in Letters Patent of the year following, she expressed the wish that the Scholars should, as far as possible, be chosen from them. Her request was not well received, and it was not until about 1589 that the college undertook annually to elect three Westminster boys into scholarships. This obligation was cheerfully borne until the nineteenth century, when the college, more interested than hitherto in its reputation in the learned world, became painfully aware that the young men who gained these scholarships were often inferior intellectually to the other Scholars of the College.<sup>4</sup> Therefore the recommendation of the Royal Commission that scholarships appropriated to particular schools should be converted into exhibitions received a warm welcome from Trinity; and when replying to Lord Palmerston's letter of enquiry about the steps being taken to carry out the recommendations of that Commission, the college undertook, if freed from the Westminster claim upon its scholarships, to elect annually three Exhibitioners from that school, and to pay each of them forty pounds a year. A few months later the Master and Seniors presented a petition to the Queen to be allowed to

<sup>1</sup> *Ibid.*

<sup>2</sup> The conditions upon which a Fellow of Trinity, if elected to one of the three Regius Professorships, could retain his fellowship, were in general accordance with those prescribed by the new college statutes for all Professors.

<sup>3</sup> This provision was retained when the college statutes were revised in 1844.

<sup>4</sup> "We are informed", reported the Royal Commissioners, "that, whereas out of the whole number of Scholars, on an average of 50 years, rather more than 1 in 4 have been elected to fellowships in the college, of 66 Westminster Scholars elected during a period of 30 years, only three were elected Fellows." *University Commission Report* (1852), p. 195.

make this change,<sup>1</sup> which, as it was supported by the Dean and Chapter of Westminster, seemed likely to be granted; but the Attorney and Solicitor General, to whom it was referred by Lord Palmerston, gave an adverse opinion. "It does not appear", they reported, "that the Crown has reserved to itself any power to alter the foundation of Westminster School or the statutes of Trinity College, Cambridge, but without such power the Queen has no authority to make the alterations in these foundations, which by the above documents are proposed to be made";<sup>2</sup> and they therefore advised that Trinity must continue to elect every year three Westminster candidates into scholarships until dispensed from doing so by Act of Parliament. Whewell, who had hoped to make the change before the appointment of a Statutory Commission, was much disappointed;<sup>3</sup> but there was clearly nothing to be done except to make certain that the Act, which established a Statutory Commission, gave the authority required.

<sup>1</sup> Diary of J. Romilly, 4 July 1854. The Petition is among the Home Office Papers, O.S. 9199. It asks that instead of giving scholarships to Westminster boys, the college should be permitted to accept annually "three Exhibitioners elected after due examination by the said Dean and Chapter, provided that they be as apt and fit as other students admitted to the said college". The Petition of the Dean and Chapter of Westminster, dated 21 June 1854 (Home Office Papers, *ibid.*), expressly says that if the proposed change takes place "it will no longer be necessary that the Master of Trinity College aforesaid should attend in person or by deputy at the annual examination of the scholars of St Peter's College in Westminster, and that it is desirable that the examination should be conducted by the Dean of Westminster with assistants to be named by him, and that the election of the aforesaid Exhibitioners should be vested in him, together with one of the said assistants, being a Canon of the Collegiate Church of St Peter in Westminster, and the Head Master of the said School". Joseph Edleston in a letter to Lord Palmerston of 6 July 1854 (Home Office Papers, *ibid.*) protested strongly against the exclusion of the College from the examination and election of the Exhibitioners. He pointed out that one of the evils of the existing system was that "funds, intended for the maintenance of clever and diligent students, have in many instances contributed to the support of idleness, stupidity and vice", and this might continue unless care was taken to secure the proper conduct of the examination. He attached no importance to the provision that the Exhibitioners should be as apt and fit as other students admitted to the college. "This means, I understand," he wrote, "that they shall pass the Freshmen's admission examination", which he characterised as little more than a mere form. "I do not think", he continued, "it would be wise in the college to surrender the power, which it has at present, of ascertaining the qualifications of the candidates prior to election."

<sup>2</sup> The Attorney and Solicitor General based their opinion on an Act passed in 1707 "for the avoiding of Doubts and Questions touching the Statutes of divers Cathedral and Collegiate Churches", 6 Anne, cap. 21. See also letters from Lord John Thynne, Sub-Dean of Westminster, to W. Whewell, 30 November, 4 December 1854, 19 and 23 January 1855, Whewell Papers.

<sup>3</sup> Lord John Thynne to W. Whewell, 23 January 1855, Whewell Papers.

The necessary steps were taken,<sup>1</sup> and the thirty-sixth section of the Cambridge University Act authorised the Trinity Governing Body, with the approval of the Dean and Chapter of Westminster, to submit to the Commissioners a statute enabling the college to award annually, in lieu of scholarships, not more than three exhibitions of the value of forty pounds to boys of Westminster School. A statute so framed was accepted by the Dean and Chapter of Westminster, and in December 1856 communicated to the Commissioners, who sent it unchanged to the Privy Council.<sup>2</sup> Thus nothing but time had been lost by the scruples of the law officers of the Crown.

Having passed this statute, the Governing Body did not meet again until 8 May 1857, and this long delay in starting upon a lengthy task is very curious, for if they failed to accomplish it before the end of the year, they might be compelled to accept such statutes as the Commissioners thought desirable. But even on 8 May nothing more was done than to appoint a committee to receive and consider "proposals from any members of the Governing Body on the subject of the revision of the statutes, and to report thereon";<sup>3</sup> and the committee did not present their report until Tuesday, 9 June, when it was agreed to circulate it among the Fellows and to discuss certain of its proposals at the next meeting of the Governing Body, which was fixed for Friday, 16 October.<sup>4</sup> It is truly remarkable that no attempt was made to obtain meetings during the Long Vacation.

The report of the committee reveals that certain of the Fellows, and in particular Edleston, Charles King, John Grote and Westlake, were in favour of very drastic changes in the college system. Westlake, who had been a Fellow for only six years and had ceased to reside, urged that fellowships should only be tenable for a term of years unless held by certain college officers, and that they should not be vacated either by marriage or omission to take Holy Orders. Other Fellows suggested that instead of the Tutors receiving the tuition fees of their pupils and paying their Assistant Tutors, the fees should be pooled, and from the fund thus formed the Tutors and Assistant Tutors should receive fixed stipends. Objection was also taken to the right of the Master to

<sup>1</sup> Lord John Thynne to W. Whewell, 12 and 26 June 1856, *ibid.*

<sup>2</sup> There was no provision in the statute for the participation of the college in the examination and election of these Exhibitioners.

<sup>3</sup> Diary of J. Romilly, 8 May 1857; Minutes of Trinity College Governing Body, Trinity College Documents.

<sup>4</sup> Diary of J. Romilly, 9 June 1857; Minutes of Trinity College Governing Body, 9 June 1857, Trinity College Documents.



appoint the Tutors, and to nominate to a fellowship, scholarship or college office if, after three scrutinies, the eight Seniors had not voted unanimously in favour of one candidate; and some of the Fellows demanded that the government of the college should not be confined to the Master and the eight Seniors, and that the provision of the statutes, which prohibited the members of the Board of Seniority from revealing what took place there, should be repealed.

The advocates of these extensive reforms were well aware of the resistance they would encounter in the Governing Body; but they could count upon sympathy in an influential quarter. Early in July the Commissioners, finding that most of the colleges were merely tinkering with their statutes, communicated to such of them as had already transmitted partially revised codes, a statement of the principles of reform which they considered desirable; and though they explained in a covering letter that these principles should not be accepted as "final conclusions, but only as indications of the present mind of the Commissioners",<sup>1</sup> it was clear that the conclusions were the fruits of careful thought, and that many of them were likely to be pressed. In certain respects the Commissioners were more advanced than most of the radical reformers in the Trinity Governing Body; but they agreed with them in urging that fellowships should only be tenable for a term of years, and not necessarily forfeited by marriage.

The views of the Commissioners and the report of the committee were not left unchallenged. In a pamphlet, dated 23 September 1857, Whewell passionately pleaded in favour of the established order.<sup>2</sup> He admitted that owing to the obligation of celibacy many of the abler Fellows were not induced by the hope of obtaining a tutorship to remain in residence; and he was therefore prepared, though with fear and trembling, to allow a Tutor to retain his fellowship after marriage; but he was appalled by the suggestion that all fellowships should be terminable after a certain number of years, unless held by college officers,

<sup>1</sup> The Commissioners communicated this memorandum to the Masters of Christ's, Peterhouse, St Catharine's, Magdalene and Caius, having received revised statutes from these colleges. They also sent it to Whewell, who asked to see it; and as it was not confidential, its contents became generally known throughout the University. As the draft codes which the Commissioners later drew up for Trinity embodied the principles set out in this memorandum, it is unnecessary to discuss them in detail. *Letter Books of the Commissioners*, vol. 1, pp. 72-77; E. H. Bunbury to W. Whewell, 10 July 1857, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> *Remarks on Proposed Changes in the College Statutes* (23 September 1857).

and be tenable by married men and laymen. "Such proposals," he contended, "if adopted, would so completely change the character and position of Fellows of colleges, and make their connection with their college so loose and transient, that it is difficult to see what the result would be." But he had no doubt that it would be disastrous, for he was convinced that short-term fellowships could not possibly inspire the necessary degree of devotion to the college, and that, if many of the Fellows were laymen, English education would lose that "reverent and religious tone which is of inestimable value to the nation". He also objected to the establishment of a tuition fund, as weakening the "quasi-parental relation" between Tutors and pupils, though when a Tutor he had taken very little interest in his pupils, and rarely knew them by sight. John Llewellyn Davies, at this time a comparatively junior Fellow, remarked in a reply to Whewell's pamphlet that "'the quasi-paternal' relation between Tutor and pupils is in our college notoriously, and perhaps inevitably, little more than nominal".<sup>1</sup>

Whewell spoke for a majority of the Fellows, and two very eminent scholars, Fenton Hort, who had recently vacated his fellowship by marriage, and Joseph Lightfoot, who was then a Tutor, supported his attack upon the marriage of Fellows. Hort declared with more vigour than truth that though celibacy had hitherto been a condition for the tenure of a fellowship, the colleges had for three centuries been "on the whole growing in health and vigour, and through them the English universities have been preserved from the decrepitude which has overtaken similar bodies elsewhere";<sup>2</sup> and Lightfoot, while disclaiming the idea of denying "the value of marriage in raising the individual character", and admitting "that in most social relations and with the majority of men, it is a very great assistance to the proper discharge of the duties of life", courageously declared that "the popular view of the superiority of the holy estate of matrimony, prevalent in this age, is perhaps as extravagant as that of the holy estate of celibacy was in times past"; and that it would be a "denial of history to refuse to acknowledge that even under the mediaeval system of enforced celibacy—vicious in principle and dangerous in practice as the system was—some works were carried on with a success which could not have been looked for under any other system". His conclusion was that what was true

<sup>1</sup> J. Ll. Davies, *The Proposed Conditions of the Tenure of Fellowships in Trinity College* (12 October 1857).

<sup>2</sup> Fenton J. A. Hort, *A Letter to the Rev. J. Ll. Davies* (14 November 1857).

of the past was true of the present, and that it would be at least hazardous to assume that married Fellows, particularly if they were Tutors, would be able effectively to fulfil their duties and obligations to the college.<sup>1</sup>

With this clash of opinion it is not surprising that during the Michaelmas term, when the Governing Body had many meetings, tempers were sometimes lost, and angry words spoken or written. The older Fellows were naturally annoyed when motions, of which they disapproved, were carried by the votes of very recently elected Fellows who knew little or nothing about college administration;<sup>2</sup> and the anxiety of some of the non-resident Fellows for the adoption of very fundamental reforms possibly provoked even more resentment.

"I have said", wrote Whewell, "that several of our non-residents come among us, exhorting us to purer and loftier courses than we have hitherto pursued. I do not blame them for this; I admire their purpose and rejoice in their enthusiasm. But I venture to say . . . that from want of practical and continued intercourse with the most active members of the college, many of them do not estimate aright the spirit in which the college is administered, and I also say . . . that they seem to want that love of our common mother, the college, which would withhold them from making rash experiments upon the essential parts of her constitution."<sup>3</sup>

But Whewell was not alone in betraying signs of rising anger. When in a fly-sheet he announced that reflection and the discussion at a recent meeting of the Governing Body had convinced him that he had been wrong in thinking that Tutors might safely be allowed to marry,<sup>4</sup> he was most rudely answered by a junior Fellow, David Vaughan, who contemptuously remarked that "anything which looks like vacillation must materially affect the weight which the opinion of one in the Master's place will carry with it".<sup>5</sup> And Adam Sedgwick sometimes showed that he could be as tempestuous in opposing reforms as he had ever been in advocating them.

It is, however, certain that there would have been many more

<sup>1</sup> J. B. Lightfoot, *On the Celibacy Question* (26 October 1857).

<sup>2</sup> W. Whewell, *Further Remarks on Proposed Changes in the College Statutes*, 18 October 1857.

<sup>3</sup> W. Whewell, *Remarks on Proposed Changes in the College System*, 3rd Series, 22 October 1857.

<sup>4</sup> W. Whewell, *Further Remarks on Proposed Changes in the College Statutes*, 18 October 1857.

<sup>5</sup> D. J. Vaughan, *Remarks on the Master of Trinity's Second Paper*, 20 October 1857.

regrettable incidents if the radical reformers had not been so very unsuccessful. In spite of their endeavours the Governing Body refused to relax the rule by which a fellowship was vacated by marriage; and when Edleston moved that half of the Fellows elected every year should be exempted from taking Holy Orders, he was so fiercely opposed that he withdrew the motion. Nor was the attempt to secure that fellowships should generally only be tenable for a limited period any more successful; and when John Grote moved that "there shall be an annual meeting of the Master and the whole body of the Fellows on the Commemoration Day, with power of adjournment, and that any representation, petition or enactment to be made by the college at any time for the amendment of the existing statutes, proceed from that body" he was both defeated and overwhelmed with contumely: Romilly, who was generally so moderate and reasonable, described the proposal as "hateful and mischievous", Sedgwick opposed it, and one speaker went so far as to declare that "such a measure would put in the hands of every fellow, soon after he was elected, a lighted torch, with the invitation to try its efficacy". Again, Hugh Munro failed to persuade the Governing Body to agree that the college should be able to reserve a certain number of its scholarships for non-resident candidates, though some of the Oxford colleges had adopted this practice; and a proposal by Francis Hawkins that all members of the University under a certain standing should be able to compete for Trinity fellowships and scholarships met with a still more unfavourable reception. Sometimes, indeed, the Governing Body pushed conservatism to great lengths, as, for instance, when they refused to remove from the statutes an absurd clause enumerating the college servants—*Registrarius unus, Custos Sacelli unus, Mancipium unum, Janitor unus, Coci tres et unus Lixa, duo Promi, Tonsor unus, Lotrices tres*—though it had long been, according to Romilly, "a standing joke"; and when with equal perversity they rejected a proposal that the college lecturers should henceforth be styled examiners, though the suggested title was far more appropriate to them, as they had long ceased to take any part in college instruction.<sup>1</sup>

Yet, though the hopes of the left-wing reformers had been dashed, they had not stirred the waters entirely in vain. The advocates of

<sup>1</sup> The above account of the more important proposals for reform rejected by the Governing Body during the Michaelmas term 1857, is based upon the Minutes of the Trinity College Governing Body, Trinity College Documents, and the Diary of Romilly.

marriage had, indeed, failed to remove or even to mitigate the obligation upon Fellows to remain celibate, but the Governing Body had passed resolutions which permitted the Chaplains, the Scholars, the Sizar and the Librarian to marry, and a childless widower to be eligible for a fellowship, though this was very little in comparison with what had been asked. Nor were those who did not wish the college to remain predominantly clerical much more successful, though no principle was at stake, as under the statutes in force two of the sixty Fellows could continue in their fellowships without taking Orders; for no more was obtained than that three instead of two Fellows might remain laymen, and that also certain specified professorships should qualify for continuing in a fellowship without taking Orders, provided, however, that the annual value of the professorship did not exceed four hundred pounds, and that never more than three fellowships were held simultaneously under this provision.<sup>1</sup> But, though the Governing Body had refused to throw open the fellowships of the college to all members of the University, and to allow non-resident candidates to compete for scholarships, they went so far as to allow all Bachelors of Arts of the college, who had obtained a first class in a Tripos, to compete for a fellowship, which was a considerable departure from the existing statutory rule restricting eligibility for a fellowship to Scholars of the college; and they provided that the Master and Seniors, if they thought fit, might award exhibitions to non-resident candidates who showed proficiency in mathematics and classics. But those who had striven to reduce the tenure of fellowships to a term of years, had nothing to show for their pains.

The concessions thus made were certainly not very great; but when a suggested reform did not threaten to change the character of college life, the Governing Body were often willing to consider it favourably. They agreed, for instance, to abolish those provisions of the existing statutes, which required that in scholarship and fellowship elections candidates who had been born in places or counties, where the college possessed property or livings, should be given a preference;<sup>2</sup> and they consented, in lieu of the preference which candidates for scholarships from the Allen Schools had hitherto received, to award exhibitions to deserving

<sup>1</sup> The clerical character of the Society was, however, very carefully guarded. It was specially provided that at least six of the eight Seniors must be in Holy Orders.

<sup>2</sup> The Newman Scholarship for a native of Kent and Cambridgeshire alternately was also abolished.

boys from those schools. They also agreed to strengthen the teaching staff by authorising the Master and Seniors to appoint ex-Fellows, or even persons not previously connected with the college, to lectureships; and to make provision for the Visitor, not the Vice-Master, to carry out a sentence of deprivation pronounced against the Master.<sup>1</sup> Certain unimportant changes were also made with regard to commons and the appointment and duties of College Preachers. But in view of the traditional hostility to the Master's authority, and the practical exclusion of all the Fellows but the eight Seniors from any share in college administration,<sup>2</sup> it is somewhat remarkable that so little change was made in the form of government. Though it was agreed that a Tutor should appoint his Assistant Tutors and not the Master, the latter's consent was still to be required; and the acceptance of the proposal that the unanimous vote of six instead of eight Seniors should be sufficient to carry a candidate for a fellowship, scholarship or college office against the Master, was not a very material reduction of the power he had hitherto enjoyed. And the provision that the college seal could not be attached to any petition for a change in the college statutes, unless the proposed change had been discussed at a meeting of the Master and all the Fellows, and approved by the major part of the whole society including the Master, was a very meagre concession to the democratic spirit of the age.<sup>3</sup>

But what is quite evident is that within the allotted time the Governing Body had achieved only a fragment of its task, and would be judged by the Commissioners to have left undone much of what they ought to have done. Yet they doubtless hoped that what they had done would be accepted; and in this hope they were disappointed. On 10 December 1857 Whewell despatched to the Secretary of the Commissioners six of the revised statutes,<sup>4</sup> and after about a week heard from the Secretary that the Commissioners had reserved five of them for further consideration, finding it impossible to come to any decision "upon the particular points submitted to them, without previously considering the general questions upon which they are to a great extent dependent".

<sup>1</sup> See p. 194.

<sup>2</sup> The consent of the Master and eight of the sixteen senior Fellows was, however, required for the college seal to be affixed to any document.

<sup>3</sup> A printed copy of the revised statutes is among the Minutes of the Trinity College Governing Body, Trinity College Documents.

<sup>4</sup> Secretary of the Commissioners to W. Whewell, 11 December 1857, Letters and Papers concerning College Statutes, Trinity College Documents.

Indeed, the only one of the six upon which the Commissioners expressed a definitely favourable opinion was that which prescribed the mode of petitioning for a change in the college statutes, but they did not go so far as to express willingness to submit it immediately to the Privy Council, remarking that it might "with advantage be deferred till after the completion of a body of revised statutes".<sup>1</sup>

Whewell then sent up the remaining revised statutes, and was much encouraged to hear privately from the Secretary of the Commissioners that he did not anticipate that the Commissioners would take any objection to most of them.<sup>2</sup> He must therefore have been all the more disappointed by the Secretary's official letter, written on Christmas Eve, which conveyed the disagreeable information that of the last batch only one had been approved, namely that which empowered the Visitor to carry out a sentence of deprivation against the Master.<sup>3</sup> And his temper was roused by a rather tactless private letter which the Secretary wrote to him on the same day.

"You will see, I have no doubt with regret," it ran, "that there is only one of them which the Commissioners find themselves able to pass at once. Some of them in point of principle are simple and unobjectionable enough, and I was thus led to hope that they might be passed at once, but there was always a *hitch* somewhere or other. The abolition of the Scholar's oath was made to involve an implied re-enacting of that of the Fellows, to which the Commissioners decidedly object. Statute B (like C of the preceding batch) is a small alteration affecting the College Preachers, but surely it is a point to consider whether the whole institution of the College Preachers is of any value? I say, to *consider*, because the Commissioners must not be understood as prejudging these questions, but they are not disposed to tie their hands so as to preclude themselves henceforth from ever entertaining them. Their position is this. Trinity College has not, like many other colleges in the University, sent them up a revised body of statutes as a whole, but only a few partial ones. Therefore it will devolve upon the Commissioners (if they think fit) to consider the whole body of the statutes, and suggest changes in them as they deem expedient. Now it cannot be unknown to you that the Commissioners entertain views upon certain points of a very general character, at variance with the spirit of the now proposed statutes. It is no secret either that

<sup>1</sup> Secretary of the Commissioners to W. Whewell, 18 December 1857, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> Secretary of the Commissioners to W. Whewell, 19 December 1857, *ibid.*

<sup>3</sup> *Ibid.*

the proposals which have actually come from Trinity College are merely the *residuum* after changes of a much more sweeping character had been proposed and rejected: and on some of these points the views of the minority within the college are believed to be more in accordance with those of the Commissioners than those of the majority. You cannot therefore suppose but that the Commissioners will feel themselves bound to reconsider many of these questions, and probably to suggest changes of a more extensive nature than those now proposed. I am not assuming that they *will* do so, but at all events they *may* do so, and therefore cannot bind themselves now by fixing *irrevocably* (as far as the powers of the Act are concerned) minor changes at this stage of their proceedings, which would preclude even the consideration of more extensive ones hereafter. . . . I cannot conclude without expressing my great regret that the late period of the year, at which these statutes have been sent us, has rendered it impossible to suggest such alterations as those I have now been mentioning in one instance. We might then have by degrees come to some understanding, but in the present case there was no alternative for the Commissioners but either to approve the statutes at once, which they could not do, or virtually reject them by reserving their consideration."<sup>1</sup>

Bunbury was almost painfully frank. The college was blamed for procrastination, and warned that the Commissioners intended to come to the rescue of the defeated minority, which they might be able effectively to do. It was not a pleasant outlook for the victors in the recent contest; and when the Fellows met on 29 December, and heard how their efforts at reform had been received, several of them expressed great disgust.<sup>2</sup> Romilly accused the Commissioners of "attempting to force on us limited tenure of fellowships and matrimony";<sup>3</sup> and, possibly many attributed the rejection of the revised statutes to no higher motive than a lust for power. In a pamphlet marked "Private—for the Commissioners only", which is dated 18 January 1858, Whewell made a bitter attack upon those principles of collegiate reform, which the Commissioners had put forward a few months before, stigmatising them as detrimental to efficiency and intended to adapt colleges with different histories and serving different purposes to one uniform pattern. "Why", he asked, "should St John's be regulated by the same principles as Magdalene, and Trinity as Sid-

<sup>1</sup> Secretary of the Commissioners to W. Whewell, 24 December 1857, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> Diary of J. Romilly, 29 December 1857.

<sup>3</sup> *Ibid.* 28 December 1857.



ney?...Above all, why should we cut down old and flourishing colleges to the scheme of Downing College, the most recent of our experiments in college-making, and the most complete failure?"<sup>1</sup> He had been anticipated in this attack by Henry Latham, then a Tutor of Trinity Hall, who a few months before had published a pamphlet against the same principles;<sup>2</sup> and Whewell was well aware that he could count upon much sympathy in the University. He also expected help from a quarter where the Commissioners hoped to find it. "I may add", he remarked in a draft of a letter to Bunbury, "that I trust and believe that many, who were in the minority on several questions, will join the majority, rather than have the opinions of this minority forced upon the college by external authority."<sup>3</sup>

The thunder of Trinity Lodge did not probably much disturb the Commissioners, who proceeded to draft statutes for the college. They took their time, as it was work which could not safely be hurried, and it was also obviously prudent to allow tempers to cool;<sup>4</sup> and it was not until the end of May 1858 that they communicated to the Master and each Fellow "an outline of a code of statutes which the Commissioners... contemplate framing for the future government and administration of the college". This outline of a code was not of course sent under seal; and in a covering letter their Secretary explained that "the preparation of the code in a complete form will necessarily require much care and occupy much time", and that the Commissioners would be glad to receive from the Master and Fellows suggestions "for rendering the intended code more conducive to the end proposed or more satisfactory to the college".<sup>5</sup> In a private letter to Whewell, Bunbury expressed the hope that the Master and Fellows would criticise freely.<sup>6</sup>

That hope was certain to be fulfilled, for, though incomplete and

<sup>1</sup> W. Whewell, *Suggestions respectfully offered to the Cambridge University Commissioners*, 18 January 1858, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> H. Latham, *Considerations on the suggestions of the University Commissioners with regard to Fellowships and Scholarships* (1857). Latham was answered by H. J. Roby, a Fellow of St John's, in a pamphlet entitled *Remarks on College Reform*, 1858.

<sup>3</sup> Undated Draft, Minutes of Trinity College Governing Body, Trinity College Documents.

<sup>4</sup> Diary of J. Romilly, 26 February 1858.

<sup>5</sup> Secretary of the Commissioners to W. Whewell, 27 May 1858, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>6</sup> E. H. Bunbury to W. Whewell, 27 May 1858, *ibid.* The draft code is in the same collection of papers.

fragmentary, the draft code clearly indicated an intention on the part of the Commissioners to make many revolutionary changes. Their scheme, for instance, for the government of the college was far more democratic than that which the Governing Body had approved. It is true that the Master and Seniors were to retain "the management of the college and administration of all the property and income thereof", but "subject to the provisions of these statutes", and those provisions were important. There was to be an Educational Board, consisting of the Master, the Vice-Master, the two Deans, and "all Fellows engaged in the tuition or instruction of the College"; and this Board was empowered to advise the Master and Seniors on educational policy and appointments. But it could only advise, and this proposal would not cause as much alarm as the provision for an annual meeting of the Master and such of the Fellows as had attained the standing of a Master of Arts. At these meetings any Fellow of the prescribed standing could "make in writing any proposition for the more efficient government of the college or the promotion of its interests"; and although no such proposition, when first brought forward, could be put to the vote, the Master and Seniors were directed to consider it; and if after twelve months they had not adopted it, the proposer could again submit it to a college meeting, and if then passed by a two-thirds majority, it became a bye-law or ordinance of the college, provided of course that it did not contravene the statutes. A very similar proposal made by John Grote in the previous November had encountered a storm of disapprobation; and the scheme of the Commissioners would certainly not meet with a more favourable reception. Their other suggestion, however, that the college seal should not be affixed to any petition for a change in the statutes, unless the change had been approved at a meeting of the Master and all the Fellows, was practically identical with a resolution which the Governing Body had already adopted.

But the balance of power at the Board of Seniority was also very much redressed in the Commissioners' draft. The resolution approved by the Governing Body, which allowed six Seniors to carry an election against the Master, was not thought by the Commissioners to go far enough; and they therefore proposed that all elections should be decided by a simple majority, except those of college officers in which the Master's vote was to count as two.<sup>1</sup> When other business was before the board, the Master, if outvoted, could adjourn the question to

<sup>1</sup> At all elections the Master was to have a casting vote in the event of a tie.

another meeting to be held within ten days, "at which meeting the question so adjourned shall be finally decided by the majority of the Master and Seniors then present". The Master's authority also suffered in another way, for, again going further than the Governing Body, the Commissioners provided that the Tutors and Assistant Tutors should be appointed by the Board of Seniority.

They also restricted the financial independence of Tutors by the provision that the Master and Seniors should be empowered to determine "from time to time the amount of tuition money to be paid by the students of the college, and the proportions in which the same shall be distributed among the Tutors, Assistant Tutors and all others engaged in the instruction of the college"; and who were those others is explained by another provision, which required that the college should have at least six Praelectors to "give lectures in mathematics, languages, philology, history, and in such special departments of natural and moral science as shall appear to the Master and Seniors best suited to advance the interests of the college and to place its system of instruction in harmony with the extended range of studies encouraged and cultivated in the University". These lectures could be attended, if the Master and Seniors thought fit, by students of other colleges; and, in addition to the fees of such students, each Praelector was to receive £200 from the funds of the college and a sum from the tuition fees to be determined by the Master and Seniors. It was intended that normally the Praelectors should be chosen from the Fellows, but a wide discretion was given, for, "if the efficiency of the college requires it, any person, who has formerly been a Fellow of the college, or even, if necessary, any other person" could be appointed. This was a considerable extension of the college scheme, which had neither fixed the number of lecturers to be appointed nor made provision for their remuneration.

The college, moreover, had definitely decided that candidates, who had not begun residence, should only be eligible to compete for Exhibitions, and that the examination for these emoluments should be restricted to classics and mathematics; but the Commissioners were of a different opinion. According to their scheme seven scholarships were to be annually awarded to students who had either not begun residence or were in the first term of residence at any college in Cambridge, leaving the remaining scholarships for Trinity undergraduates in their second or third year. In electing to either sort of scholarship the Master and

Seniors might "give a preference . . . to excellence in one or more of the learned or oriental languages, or in special departments of mathematics or of physical science"; and to excellence also in moral science when electing to those scholarships for which only undergraduates of the college were eligible.

But by far the most serious divergence of opinion between the Commissioners and the Governing Body was with regard to the award and tenure of fellowships; and to many of the Fellows it must have seemed that the Commissioners wished to destroy the college system. All members of the University, who were either Bachelors of Arts, Bachelors of Law or Bachelors of Medicine of not more than three years standing, were to be eligible for a Trinity fellowship; and thus in time to come the college might be ruled by men whom it had not educated, and who, perhaps, had never completely forsworn an earlier allegiance. The Commissioners, moreover, proposed to omit the clause in the existing statutes which directed the Fellows to take Holy Orders at the end of seven years from proceeding to the degree of Master of Arts, and to provide that every Fellow, whether a clergyman or layman, should vacate his fellowship after ten years from attaining the full standing of a Master of Arts, unless he held in the University the office of Professor, Public Lecturer, Registry, Librarian or Public Orator, without deriving from it an income exceeding eight hundred pounds a year, or had held for at least two years the office in the college of Tutor, Assistant Tutor or Bursar, in which case he could continue in his fellowship for as long as he retained such office. But life fellowships were not entirely to cease, as any Fellow who had actually discharged for ten years the duties of a Tutor, Assistant Tutor, Lecturer or Bursar of the college, or those of a Professor or Public Lecturer of the University, was to retain his fellowship for life without obligation of residence.<sup>1</sup> Nor were the claims of great learning entirely overlooked, for a Fellow, though not holding an office which qualified him to keep his fellowship after ten years, could be continued in it "on account of his literary or scientific reputation or labours" by a two-thirds vote of a meeting of the Master and the sixteen senior Fellows, and with the sanction of the Visitor. But in order that this privilege should not be too lavishly granted, it was not to be enjoyed by more than four Fellows simultaneously.

Moreover, though the rule that fellowships were vacated by marriage

<sup>1</sup> It seems curious that a college lectureship was to qualify for a life fellowship but not for continuance in a fellowship after ten years.

was retained in the draft code, some important exceptions were made to it. A Fellow who held one of the University offices which qualified him to retain his fellowship after ten years, or was one of the three Tutors and for ten years had discharged the duties of a Tutor or Assistant Tutor, could marry without forfeiting his fellowship; and any Fellow, who had served the University or college for not less than twenty years as a Professor, Public Lecturer or Tutor, might by a two-thirds vote of a meeting of the Master and the sixteen senior Fellows, and with the sanction of the Visitor, be permitted, though married, to retain his fellowship after ceasing to hold office, provided, however, that never more than four fellowships were so held simultaneously. The exceptions were not many, but they were more than enough for a society which desired to remain celibate.

The Commissioners were very daring, but they were not foolhardy. One very obvious objection to a limited tenure of fellowships was that such a rule bore particularly hardly upon Fellows in Holy Orders, who with their fellowships would also lose the much valued right of being able to choose a college living in the order of their seniority; and the Commissioners therefore provided that a clerical Fellow, who had vacated his fellowship either by lapse of time or by marriage, and had taken Orders before his fellowship was so vacated and not later than seven years after he had attained the standing of a Master of Arts, "shall be entitled to retain for the space of twenty years from the time that he was of standing to take the degree of Master of Arts, the same right to succeed to a vacant living by virtue of his seniority as if he had still continued to be a Fellow of the college". But this right was to be forfeited "by institution to any benefice, whether in the patronage of the college or not, or by the acquisition of any property, exceeding in either case the limit prescribed by the statutes as compatible with a fellowship". Yet, though the Commissioners desired to be just, they certainly intended to relax the connection of the college with the Church of England. Though the Master had still to be a member of that Church, he was not, as by the existing statutes, required to be in Holy Orders, and a student of the college *in statu pupillari*, who did not profess the Anglican faith, was to be exempted from attendance at Chapel.

Much consternation was also certain to be caused by the financial provisions of the draft code. The college was annually to contribute five per cent of its distributable income to the University Chest, and

to pay each of three Professors, to be hereafter appointed, a yearly stipend of six hundred pounds. This charge, though heavy, was not unreasonable, but it was certain to be thought so; and, consequently, to be fiercely resented. But objection could be more legitimately taken to the provision that the sixty Fellows should receive "equal dividends, not exceeding £250 each". For over two centuries the surplus of the income over the expenditure of the College had been unequally distributed among the Fellows, the largest share falling to the eight Seniors, who conducted the business of the college and examined for fellowships and scholarships; and though the mode of distribution probably needed to be revised in detail, the Commissioners had no justification for their total disregard of the principle that the value of a fellowship should depend upon length of tenure and services rendered. But the changes which they proposed in the scholarship and sizarship payments were undoubtedly for the good. Under the statutes in force the financial advantages of a scholarship were the right of dining in hall free of charge, residence money amounting to £24 for the year, a weekly payment of three shillings during residence, and an annual payment, known as *liberatura et stipendium*, of £1. 6s. 8d.; and those of a sizarship were very similar, though slightly greater. This system was disadvantageous to the poor man, who, if he endeavoured to economise by not exceeding the minimum requirement of residence, substantially reduced the value of his emolument; and it was no doubt partly on his account that the Commissioners provided that the scholars and sizars should receive a fixed annual payment instead of allowances and free commons, and that the payment to a scholar should be sixty pounds a year.<sup>1</sup> What the poor man gained, however, the college would lose, for the value of a scholarship in terms of money had not generally been more than forty-seven pounds a year; and if, as the Commissioners proposed, the college gradually increased the number of its scholars from seventy-two to ninety, the cost of its emoluments might become a serious consideration. Moreover, the disappearance of the Scholar's right to dine free of charge, and to receive three shillings for every week that he resided, was certain to be regretted. The dignity and attraction of a scholarship was thought to be much enhanced by carrying the privilege of free commons at the Scholars' table in hall; and the weekly allowance was held to serve a useful purpose by encouraging the scholars to exceed the minimum period of residence, and thereby to associate

<sup>1</sup> The amount of the fixed money payment to the sizars was left undetermined.

themselves more intimately with the life of the college.<sup>1</sup> The new scheme was therefore unlikely to escape criticism.

Yet, though there were very few provisions of the draft code which did not deserve careful consideration, there was one bad blunder. Though it was certainly desirable that the college should have power to elect "persons distinguished for their literary or scientific interests" to honorary fellowships, it was most undesirable that it should be able, as the Commissioners proposed, to confer such a distinction upon a person whose only claim to it was that he was a benefactor to the college or was well known to be very devoted to it, for this came perilously near to putting up honorary fellowships to auction. But the Commissioners could hardly be expected never to fall into error.

But though the draft code offered a reasonable basis of negotiation, and it was never intended to be more, it was greeted as an outrage. Luard poured out with an unstinting hand the vials of his wrath upon it. He declared that the college was receiving the treatment which only a corrupt corporation deserved, and sorrowfully predicted its ruin as a home of religion and learning. "The chief object of the Commissioners (I believe not disavowed)", he wrote, "is to build up the University at the expense of the colleges, to destroy their independence", and to encourage undergraduates "to look upon them as little more than temporary lodging-houses, with no claims on their love or sympathy".<sup>2</sup> George Airy, who though he had ceased to be a Fellow had not lost interest in the college, was almost as intemperate, rhetorically declaring that the draft code might have come from the National Assembly;<sup>3</sup> and Whewell, who like most rude men was a very severe critic of the manners of others, accused the Commissioners, and particularly their Secretary, Bunbury, of deliberate discourtesy; for, to the representations which had been repeatedly addressed to them, "no reply has been vouchsafed except some offensive remarks from their Secretary in his private capacity". But he had more to complain of than rudeness, for he had persuaded himself that the Commissioners, in sending a copy of the draft code to each of the Fellows, and inviting them to comment upon it directly and not through the

<sup>1</sup> G. Pryme, *Autobiographic Recollections* (1870), pp. 336-337.

<sup>2</sup> H. R. Luard, *Remarks on the Cambridge University Commissioners' Draft of proposed new Statutes for Trinity College* (August 1858).

<sup>3</sup> G. B. Airy, *On the Draft of proposed new Statutes for Trinity College, Cambridge*. This paper was first published in the *Athenæum* of 6 November 1858.

Master,<sup>1</sup> intended to "induce one third of the body to refuse to dissent in the manner directed by the Act, and . . . thus force upon the college laws notoriously destructive to its interests, prospects and usefulness in the opinion of the majority of the Governing Body".<sup>2</sup> This was a completely baseless assumption, but it is hard not to believe the worst of a supposed enemy.

But as Whewell was a man of action, he at once took steps to thwart the design he falsely attributed to the Commissioners. In a circular letter to the Fellows he set out the arguments against those provisions of the draft code which he considered most objectionable, and asked for expressions of opinion, so that he could ascertain which of them were likely to be opposed by two-thirds of the Governing Body.<sup>3</sup> Only a few of the replies to this appeal have been preserved, but there is reason to think that there was great diversity of opinion. Adam Sedgwick, for instance, expressed strong disapproval of terminable fellowships and of the "clause that makes the graduate of any college in the University capable of being a candidate for a fellowship at Trinity"; but he was unwilling to pledge himself to oppose many of the provisions to which Whewell objected, and was very definitely of the opinion that "the colleges ought to contribute largely out of their domestic funds. . . for the establishment of a professorial staff, so that we should have no non-resident Professors, and no longer have our best men plucked away from us, as they have been of late years".<sup>4</sup> On the other hand, Frederick

<sup>1</sup> In a letter of 31 May 1858 to Whewell, Bunbury had said: "In the mean time I can answer one of your questions at once, that the Commissioners certainly did not mean to require all communications from the Fellows in reply should pass through you as Master. Their object was to invite the most free and unreserved communication of opinion from the Fellows, in whatever manner they might think to offer it." Whewell seems, however, to have raised difficulties, for in another letter of 12 June 1858, Bunbury stated that he was directed "by the Cambridge University Commissioners to acknowledge the receipt of your letter of the 31st ult., and to inform you in reply to the same that the Commissioners are not desirous in any manner to fetter or restrict the free communication to them by the Fellows of your college of their views and opinions in regard to the draft of statutes recently communicated to them. They will be glad to receive such communications in any manner or form that may be most convenient to the Fellows themselves". Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> Circular Letter from Whewell to the Fellows, 23 June 1858. This letter is in a volume of Pamphlets in Trinity College Library, of which the Press mark is 98 C. 85. 15.

<sup>3</sup> Whewell's circular letter to the Fellows, 23 June 1858.

<sup>4</sup> Adam Sedgwick to W. Whewell, 10 July (no date of year), Letters and Papers concerning College Statutes, Trinity College Documents.



Farrar, who had only recently been elected to a fellowship, was in favour of allowing men of other colleges to compete for Trinity fellowships, and argued his case at length. He asserted that "as now, Trinity men would carry off *nearly* all the fellowships", and that it would be "a clear gain" if candidates from other colleges were sometimes successful. "The introduction among the Fellows of men trained under slightly different influences", he urged, "... would concentrate, perhaps, a wider amount of experience in the Governing Body, and lead to perpetual improvement."<sup>1</sup>

But more than the fortunes of Trinity were at stake. Very similar draft statutes had been sent to St John's; and as the Commissioners were supposed to cherish the hope that a victory over these two great colleges would be followed by "a prompt submission of the smaller",<sup>2</sup> the panic spread. Early in July 1858 two hundred and twenty-one members of the Senate petitioned the Vice-Chancellor "to summon a meeting of the members of the several Governing Bodies, for the purpose of considering such part of the said drafts of statutes as affect all the colleges in common"; and the Vice-Chancellor agreed to do so.<sup>3</sup>

This meeting, which was held in the Arts School on 26 October, was largely attended, and as there was much which men wanted to say, it lasted for five hours. At the outset Whewell moved that "it is inexpedient that the proposition of the Cambridge University Commissioners for opening the fellowships in every college to... all graduates of the University, should be adopted"; and he did not mince his language. He spoke passionately, accusing the Commissioners of seeking the destruction of the colleges, and took the opportunity of airing a personal grievance by complaining of the offensive tone of Bunbury's letters.<sup>4</sup> But his speech, though very violent, was a skilful appeal for sympathy with the two colleges, who were not fighting for themselves alone; and the sympathy for which he asked was not refused. A wrecking amendment was rejected by a large majority, and the motion "carried amid

<sup>1</sup> F. W. Farrar to W. Whewell, 13 July (no date of year), *ibid.*

<sup>2</sup> G. B. Airy, *On the Draft of proposed new Statutes for Trinity College, Cambridge.*

<sup>3</sup> *Cambridge Chronicle*, 10 July 1858.

<sup>4</sup> Edward Bunbury, who had been a Fellow of Trinity, was much hurt by Whewell's attack upon him, and courteously complained of it in a letter of 28 October. Whewell rudely replied on 29 October, that, as his remarks had been made at a meeting "for a particular object, I do not hold myself in any way accountable to you for the expressions there used". Letters and Papers concerning College Statutes, Trinity College Documents.

cheers". Then William Bateson, with Adam Sedgwick for his seconder, moved that resistance should be offered to the proposal for the institution of terminable fellowships; and whoever was responsible for arranging that this motion should be sponsored by the two most prominent members of the academic reform party must have had a very good eye for dramatic effect. Bateson declared that the great attraction of a fellowship was its security of tenure, which placed its happy possessor "on an island where the waves could never overwhelm him"; and Sedgwick, after repeating his stock remark that he could not have served the University so well if he had not held a life fellowship, rashly declared his intention of shortly resigning his professorship and living on his freehold.<sup>1</sup> Only one hand was held up against the motion when it was put to the vote; but there was not even a single dissident when the meeting was asked to express its earnest disapproval of "any measures which would tend to impair the existing connection between the colleges and the Church of England". There was, however, some opposition to a motion that a tax upon the distributable incomes of the colleges for the benefit of the University was highly objectionable; but it was carried by a large majority.<sup>2</sup>

At the request of the meeting the Vice-Chancellor communicated these resolutions to the Commissioners, who considered them on 28 October. If the Commissioners had been as ruthless as they were thought to be, the cries of their victims might have stimulated them to greater violence; but as they were genuinely anxious to reach an agreed settlement with the colleges, they generously overlooked the intemperate language, and endeavoured to allay the storm which their proposals had raised. George Peacock, one of the Commissioners, had recently suggested to the Vice-Chancellor that it might be well if the Commissioners conferred personally with representatives of the Governing Bodies, and as the Vice-Chancellor had warmly approved this suggestion, believing that "the mutual explanations, which would follow, would remove much difficulty",<sup>3</sup> it was decided to act on it. "I am directed by the Cambridge University Commissioners", wrote Bunbury to Whewell on 29 October, "to assure you of their earnest desire to frame such a code of statutes for the government of your college as may promote its interests and usefulness. They are of opinion that this object

<sup>1</sup> Sedgwick was, however, still holding his professorship when he died in 1873.

<sup>2</sup> *Cambridge Chronicle*, 30 October 1858.

<sup>3</sup> Dr Philpott to General Grey, 28 October 1858, Royal Archives, Windsor Castle.

might be greatly facilitated by personal communication, and with this view respectfully request the favour of a personal conference with yourself and any of the Fellows of the college who may be disposed to accompany you."<sup>1</sup>

Having considered this invitation, the Trinity Governing Body agreed to send a deputation, consisting of the Master, Martin, Lightfoot and Montagu Butler, to meet the Commissioners in London;<sup>2</sup> and the inclusion of Butler, who had only been a Fellow for three years, suggests that the younger members of the society were anxious for their opinion of the draft code to be heard. Of what passed at this meeting, which took place on 13 November, nothing unfortunately is known. It seems to have been amicable, and to have had the desirable effect of dispelling Whewell's suspicion that the destruction of the college system was intended; but it probably did not completely satisfy the party in the Governing Body for which Butler had been the spokesman. For in December 1858 he and twenty-one other Fellows, of whom none had been elected to a fellowship before 1850, and several far more recently, addressed a letter to the Commissioners, in which they professed their readiness to accept the draft code as a basis of negotiation, but suggested certain amendments and omissions. As the signatories of this letter were more than one-third of the society, their manifesto was of great importance.<sup>3</sup>

They were certainly not uncritical, taking exception to a lay master, married Fellows, the award of entrance scholarships, the exemption from attendance at chapel of undergraduates who were not members of the Church of England, the institution of an Educational Board, and the payment by the college of the stipends of three Professors. But they were far from adopting a purely negative attitude. They suggested that the Master and Seniors should be empowered to determine from time to time whether members of other colleges could compete for a Trinity fellowship, that honorary fellowships, though a welcome innovation, should not be given in return for "benefactions to, or well-known affection for, the college", and that the privilege "allowed to the Tutors, Assistant Tutors and Bursar of retaining their fellowships under

<sup>1</sup> *Letter Books of the Commissioners*, vol. 1, p. 243.

<sup>2</sup> Minutes of Trinity College Governing Body, 2 and 3 November 1858. Trinity College Documents; *Letter Books of the Commissioners*, vol. 1, p. 254. Whewell did not summon the non-resident Fellows to these two meetings.

<sup>3</sup> Letters and Papers concerning College Statutes, Trinity College Documents. A few of the signatories withheld their approval of certain passages in the letter.

certain conditions beyond the period of ten years from their M.A. degree, should be extended to the Senior and Junior Deans, and to the holders of livings of small value in the gift of the college". Moreover, though they desired the Scholars to "receive the same allowances for rooms and commons under the same conditions of residence as at present" they were in favour of a more liberal *liberatura et stipendium* payment; and though they objected to the equalisation of the fellowship dividends and to a statutory restriction of their amount, they urged that the additional payment to the eight Seniors should be conditional on residence, that only the next four Fellows in order of seniority after the eight Seniors should receive an additional allowance, and that the dividends of the minor Fellows, as those who were only Bachelors of Arts were styled, "should be raised more nearly towards an equality with those of ordinary major Fellows".

But they accepted without qualification much of the Commissioners' programme, including terminable and lay fellowships and annual college meetings. And in certain respects they went beyond it. Thus, though they thought that the college should not be required to support more than three Praelectors, and that it was a mistake to prescribe by statute the subjects of their lectures, they considered that a pralectorship should have a fixed and not, as the Commissioners apparently contemplated, a fluctuating value, and they therefore proposed that "the college should guarantee to all Praelectors, whether Fellows or not, an income of not less than £500 per annum: such income in the case of Fellows including their dividend, and in the case of others including a sum, equal to the ordinary dividend of a Fellow, to be paid from the General College Fund". They also went further than the Commissioners in suggesting that the tuition fees should be paid into "a General Tuition Fund, to be distributed among the Tutors, Assistant Tutors and all others engaged in the education of the college, in such manner as the Masters and Seniors shall determine". The Commissioners, though they had arranged for such a distribution, had, apparently, intended that the tuition fees should be paid in the first instance to the Tutor, who would, consequently, for a limited time have a considerable sum of money at his command.<sup>1</sup>

<sup>1</sup> The Commissioners had provided for the distribution of the tuition fees, in such proportions as the Master and Seniors should deem fit, between the Tutors, Assistant Tutors, and other persons engaged in college instruction; but as they had not prescribed that these fees should be pooled to form a tuition fund, they were presumably still to be held by the Tutor.

The attention which the Commissioners paid to this letter of the twenty-two Fellows is indicated by the revised statutes which they submitted to the Governing Body in February 1859. The Master was required to be in Holy Orders as well as a member of the Church of England, and no provision was made for exemption from attendance at the college chapel. The sections which established an Educational Board and included among the qualifications for election to an honorary fellowship "benefactions to, or well known affection for the college" were also omitted. Moreover, the offices of Dean and Praelector were added to those qualifying for continuation in a fellowship after ten years, the subjects on which the Praelectors should lecture were left to be determined by the Master and Seniors, and the privilege previously granted to the Tutors of retaining their Fellowships after marriage was withdrawn. And to the same influence may be ascribed some other important changes. A non-resident Fellow was debarred from being one of the eight Seniors, provision was made for the creation of a tuition fund, and a Praelector, who was not a Fellow, was to receive, in addition to an annual sum of £250 from the college funds, the equivalent of the dividend to which a Fellow, who was a Master of Arts, was entitled.<sup>1</sup> Nor could graduates of other colleges sit for the Trinity Fellowship examination unless the Master and Seniors thought fit to admit them; and in order to meet the objection which had been taken to the award of foundation scholarships to schoolboys, the Commissioners proposed that six minor scholarships, of at least the annual value of £40, should be yearly competed for by candidates who had either not entered the University or were in their first term of residence.<sup>2</sup> Moreover, instead of a fixed money payment, the foundation scholars were to receive one-tenth of a fellowship dividend, and also to have the right to free rooms and commons, unless "a pecuniary equivalent for either or both be assigned to them respectively by the Master and Seniors"; and the proposal for the equalisation of fellowship dividends was dropped, for a Senior was to receive more, and a minor Fellow slightly less, than the other Fellows.<sup>3</sup>

<sup>1</sup> Each Praelector was also to receive fees from members of other colleges attending his lectures, and "in respect of students of the college such sum out of the tuition money as the Master and Seniors shall determine".

<sup>2</sup> The Master and Seniors were also authorised to admit members of other colleges to the examination for foundation scholarships, if they thought fit to do so.

<sup>3</sup> A Fellow, being a Master of Arts, was to receive one dividend, a minor Fellow four-fifths of a dividend, and a Senior one and three-fifths of a dividend.

The Commissioners had certainly met many of the wishes of the twenty-two Fellows, but they had also taken account of suggestions from other quarters. Thus they not only relieved the college of the obligation to pay each of three Professors an annual stipend of six hundred pounds, but also provided that its yearly contribution to the University Chest, which was to be five per cent of its net and not of its distributable income, should not become compulsory until a similar provision had been included in the statutes of all the colleges. The clerical Fellows also received concessions. A Fellow, who had taken Holy Orders within seven years after attaining the standing of a Master of Arts, might, at the expiration of ten years from attaining that standing, retain his fellowship if either he held a college living, of which the clear annual value did not exceed £150,<sup>1</sup> or if he had not had the option of a college living of the clear annual value of £300, though if he subsequently had the option of a college living of this value his fellowship terminated. And the right of an ex-Fellow in Holy Orders, who had vacated his fellowship by marriage or lapse of time, to claim during a limited period<sup>2</sup> a college living by virtue of his seniority as though still a Fellow, was not to be forfeited, as the earlier draft had provided, by the institution to any benefice, but only when the benefice, if in college patronage, was of greater annual value than £300 or, if in external patronage, than £500.<sup>3</sup>

When the Commissioners communicated these revised statutes to the college, they mentioned that they did not propose to send them under seal until a month later, as they desired to receive the informal criticism of the Master and Fellows; and when a few days later the Governing Body petitioned for more time, the request was immediately granted.<sup>4</sup> The Commissioners were indeed most anxious for an amicable settlement, and happily acquired a little merit by the concessions which they had made. Airy, for instance, who had been so violent against their earlier effort, declared that "the concessions are really very liberal, and the modifications on the former draft most important";<sup>5</sup> and Whewell admitted that "a disposition to attend to the wishes of the college has . . .

<sup>1</sup> The twenty-two Fellows had suggested this concession.

<sup>2</sup> This period was, however, reduced from twenty years after attaining the standing of a Master of Arts to ten years after the vacation of the fellowship.

<sup>3</sup> Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>4</sup> Diary of J. Romilly, 3 March 1859; E. H. Bunbury to W. Whewell, 4 March 1859, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>5</sup> G. B. Airy to W. Whewell, 4 March 1859, Whewell Papers.

been manifested by the Commissioners in a degree which has in some measure removed the very grave apprehensions for the future of the college, which in the majority of the Fellows were excited by the former draft."<sup>1</sup> Yet much remained that was exceedingly unpalatable to the majority of the Governing Body, and even the twenty-two Fellows were not entirely satisfied.

The revised draft was, therefore, very thoroughly discussed by the Governing Body, which met four times during March, 1859, for this purpose.<sup>2</sup> Also some of the Fellows circulated detailed criticisms of the provisions to which they particularly objected.<sup>3</sup> And before long Whewell was able to send to the Commissioners batches of protests against several of the statutes, of which many, if not all, bore the signatures of at least half the members of the Governing Body.<sup>4</sup> The Commissioners were asked to reduce the minimum number of Prae-lectors from six to three, to exclude married Fellows from the Seniority and tutorship,<sup>5</sup> and, in order to preserve a little of the traditional clerical character of the society, to provide that the Tutors must always be in Holy Orders, and that not more than four of the Seniors should be laymen. They were also asked to abandon their project of establishing a tuition fund, and to revert to their original scheme of authorising the Master and Seniors to distribute the tuition fees between the persons engaged in college instruction; and, as the Tutors were to be salaried officials, to omit the clauses which made them responsible for their pupils' debts to the college and required them "to pay the same to the Steward every quarter". It was further urged that it would be better if instead of a statutory provision that all members of the college, who were of a certain standing and had graduated, could compete for a fellow-

<sup>1</sup> *Remarks on the Draft of proposed new Statutes for Trinity College.* This paper is unsigned, but there is no doubt that Whewell was its author. Minutes of Trinity College Governing Body, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> Diary of J. Romilly, 3, 8, 14 and 25 March 1859.

<sup>3</sup> Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>4</sup> In an undated draft of a letter to Bunbury, Whewell mentions that he had not hitherto sent "any of the resolutions except those which have received the signatures of at least one-half the whole body of the Master and Fellows", *ibid.*

<sup>5</sup> From the draft code sent to the College in February 1859 the earlier provision which allowed a Tutor to retain his fellowship after marriage had been omitted. But certain Professors, Public Lecturers and University officers, were to retain their fellowships though married, and as they were not disqualified from holding a tutorship, the possibility of a Tutor being married was not entirely eliminated.

ship, the Master and Seniors should be left at liberty to determine what persons under the standing of a Master of Arts were eligible; and that as all professorships and public lectureships, of which the annual value did not exceed eight hundred pounds, were to qualify for the continuation of a fellowship after ten years, the college might easily become overstocked with University officials if, as the Commissioners had provided, the offices of Public Orator, University Librarian and Registry carried the same privilege.<sup>1</sup> There were, however, many provisions of the code upon which the college did not comment, though several of the Fellows heartily disliked them. But to have done so would have revealed the sharp division of opinion between the old and young. By instituting the Governing Body the Cambridge University Act had called a new world into existence to redress the balance of the old.

These protests were only partially successful. The Commissioners were prepared to make marriage a disqualification for the tutorship and the Seniority, to reduce the number of Praelectors to three, to abandon the project of a tuition fund in favour of their earlier proposal, and to discharge the Tutors from any responsibility for their pupils' debts to the college; but they were not willing to provide that the Tutors and four of the Seniors must be clergymen, or that the Master and Seniors should be able to determine the eligibility of members of the college for fellowships. They, moreover, remained of the opinion that the offices of Public Orator, Librarian and Registry should qualify for continuation in a fellowship. But they made, unasked by the college, one very important and most unfortunate change. Doubtless to their chagrin, for some of them were eminent lawyers, they discovered that they had exceeded their legal powers in continuing "a pre-option of college livings to ex-Fellows"<sup>2</sup> and they were therefore obliged most reluctantly to withdraw that provision of their statutes which enabled an ex-Fellow to claim a college living. To compensate, however, for the loss of this privilege, they provided that the possession of a college living which had been declined by all the other Fellows and Chaplains, and not only one of which the clear annual value did not exceed £150, should qualify for the continuation of a fellowship after ten years, and also that a Fellow, even though he had declined within ten

<sup>1</sup> Minutes of Trinity College Governing Body, Trinity College Documents. Other protests of minor importance were also sent to the Commissioners.

<sup>2</sup> The Secretary of the Commissioners to the Master and Fellows of Trinity College, 12 April 1859, Letters and Papers concerning College Statutes, Trinity College Documents.



years of attaining the standing of a Master of Arts the offer of a college living of the clear annual value of £300, might yet continue to retain his fellowship after ten years, and until a similar offer had been made to him.

The Commissioners sent their statutes thus revised to the college under seal on 12 April 1859;<sup>1</sup> and a new stage in the long drawn-out battle began. The time for criticism by individuals or resolutions passed by a simple majority of the society was over: the only weapon left to the college was a two-thirds majority of the Governing Body, and it was difficult to forecast the extent to which that weapon could be used.

There was, however, no doubt from the outset that against two of the statutes a two-thirds majority would be easily obtained. The seventh, for instance, only made provision for the appointment of a deputy Vice-Master when both the Master and Vice-Master were absent from Cambridge; but as the Vice-Master had other duties than that of acting for the Master, he required, if absent, a deputy, whether or not the Master was in residence. Again, the thirty-fifth statute only required the presence of the Master at the annual audit of accounts, though the Fellows could attend if they chose; and it was clearly undesirable that on such an important occasion the college might be only represented by the Master. It was certain that not a single member of the Governing Body would desire to leave these two statutes unchanged.

But it was not at all certain that a sufficient majority could be obtained against the twentieth statute, which was concerned with the presentation to college livings, and the eighteenth statute, which determined the tenure of fellowships, though many of the Fellows thought both of them extremely obnoxious. Under the statutes of 1844 the acceptance of any benefice in the gift of the college, except the livings of Great St Mary's and St Michael's in Cambridge and the Vicarage of Trumpington, vacated a fellowship, unless it had been previously refused by all the Fellows in the order of their seniority; and it was believed that a rapid succession to fellowships had been thereby secured, greatly to the benefit of the college. But the Commissioners, disregarding this salutary rule, had provided that acceptance of a college living, of which the clear annual value was less than three hundred pounds a year, should not vacate a fellowship; and many members of the Governing Body considered that in consequence the compensation offered in the new

<sup>1</sup> Letters and Papers concerning College Statutes, Trinity College Documents.

eighteenth statute to clerical Fellows for the loss of the right of pre-option was almost worthless. For what, it was contended, was the likelihood of a clerical Fellow being able to retain his fellowship by accepting a college living which had been refused by all the Fellows and Chaplains, if all the Fellows, both senior and junior to him, could, without vacating their fellowships, accept any college living less in annual value than three hundred pounds? And, again, was it not hard that a clerical Fellow should be obliged after ten years to vacate his fellowship if offered a college living of the annual value of three hundred pounds? He might be personally unfitted for the type of work which the particular living entailed, or for various other reasons be unwilling to accept it; but whether he refused or accepted it, he vacated his fellowship.<sup>1</sup> There is, indeed, no doubt that the scheme of the Commissioners had been seriously deranged by discovering that they were not able to allow clerical ex-Fellows a right of pre-option to college livings; and it is significant that John Grote, who had hitherto held that Holy Orders ought not to constitute a claim to a life fellowship, was no longer of that opinion.

“I do not blame the Commissioners”, he wrote, “for what it appears they could not help. But I do hope that the wish or the willingness, which we several of us have, that the principle of terminability should be applied to clerical fellowships as well as lay, which wish, so far as I can understand, was hitherto throughout applied to a scheme of terminability reserving to the clerical Fellow his fair chance of a living, will not now be transferred to a scheme which no longer does so.”<sup>2</sup>

But, at a meeting of the Governing Body on 19 May, several of the younger Fellows declined to sign protests against the eighteenth and twentieth Statutes. “Butler, etc.,” recorded Romilly, clearly alluding to the twenty-two Fellows, “still declined, but said they might, perhaps, hereafter.”<sup>3</sup>

Two days later Whewell circulated among the Fellows protests against several of the statutes, and in a covering letter called for signa-

<sup>1</sup> F. Martin, *Remarks on the XVIIIth Statute*; J. Grote, *A Few Words on Statute XVIII*, Circular Letter from W. Whewell to Members of the Governing Body, 21 May 1859, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> J. Grote, *A Few Words on Statute XVIII*. According to Grote it was Bateson, the Master of St John's, who informed the Commissioners that “they had been acting for two years in entire misapprehension of their powers”.

<sup>3</sup> Diary of J. Romilly, 19 May 1859.

tures, stressing in particular the great importance of securing a two-thirds majority against the eighteenth and twentieth statutes.<sup>1</sup> Much of course depended upon the party which Romilly styled "Butler, etc.", but at least some of its members must have finally come down upon what the majority of the Governing Body considered the right side of the fence, for on 6 June, if not before, it was known that a sufficient number of signatures had been obtained for the protests against the seventh, eighteenth, twentieth and thirty-fifth statutes.<sup>2</sup> But the margin of victory was narrow. The protests against the eighteenth and twentieth statutes had only been signed by forty-two and forty-one Fellows respectively;<sup>3</sup> and any hopes, which had been entertained of obtaining a two-thirds majority against more than these four statutes, were disappointed. But, probably, Whewell was well satisfied when on 10 June he transmitted these four protests to the Commissioners.<sup>4</sup>

But he possibly did not realise the full extent of the difficulty created for the Commissioners by the action of the Governing Body. They could of course easily amend the seventh statute by providing that the Vice-Master, when absent, should be represented by the Senior Fellow in residence, and the thirty-fifth by making attendance at the annual audit obligatory on the eight Seniors as well as the Master. They were also able to meet the objection to the twentieth statute by prescribing that a fellowship should be vacated by the acceptance of any living in the gift of the college, except Great St Mary's, St Michael's and Trumpington, which had not been previously offered to every Fellow in Holy Orders "with the condition of vacating his fellowship, and been declined by all".<sup>5</sup> But they found it impossible to devise any other mode of satisfying the claims of the clerical Fellows than that which had been rejected by the college; and they were therefore compelled to abandon a reform which they had urged from the outset. They decided not to repeal the clause in the nineteenth statute of the code of 1844, which allowed a Fellow, who had taken Holy Orders

<sup>1</sup> Circular Letter from W. Whewell to Members of the Governing Body, 21 May 1859, Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> Diary of J. Romilly, 6 June 1859.

<sup>3</sup> Letters and Papers concerning College Statutes, Trinity College Documents. The protests against the seventh and thirty-fifth statute were signed by forty-six and forty-five Fellows respectively.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.* The provision by which a fellowship was vacated by the acceptance of a college living of the annual value of three hundred pounds was retained.

within seven years from proceeding to the degree of Master of Arts, to retain his fellowship for life.<sup>1</sup>

They, however, saved something from the wreck of their earlier scheme by providing that "notwithstanding any provision contained in the 19th chapter of the college statutes made in the 7th year of Her Majesty's reign, with reference to the taking of Holy Orders by Fellows of the college, no Fellow shall vacate his fellowship by reason only of his not taking Holy Orders, whilst and so long as he is Public Orator, University Librarian or Registrary, or holds a professorship or public lectureship of not greater annual value than eight hundred pounds, or is a Tutor, Assistant Tutor Praelector or Senior Bursar";<sup>2</sup> and they further provided that a Fellow, who had held any one of these offices for ten years, could, though a layman, vacate it without forfeiting his fellowship. But, nevertheless, as a fellowship could be secured for life by taking Holy Orders, the society would tend to remain predominantly clerical.

The four statutes so revised were sent to the Governing Body in November 1859, who accepted them; and although, owing to further difficulties, the new code did not become operative until 1861, the struggle between the college and the Commissioners was practically at an end. It has unfortunately not been possible to do justice to the combatants in that struggle without going into much confusing detail, but the story is not without a certain dramatic interest. There seems little doubt that the Commissioners, owing to the support which they received from the junior Fellows, would have carried their scheme of

<sup>1</sup> Some of the signatories of the protest against the eighteenth statute had hoped that the Commissioners would apply to Parliament for authority to revert to their original scheme of allowing ex-Fellows to claim college livings. A manifesto, signed by seventeen of the twenty-two Fellows and two others, and dated 12 June 1859, was sent to the Commissioners. "It will be remembered", it runs, "that in both the drafts of statutes submitted to the college, the contemplated changes in the tenure of Fellows were accompanied by a provision for extending the benefits of college patronage to ex-Fellows. It is needless for us to point out the very great advantages of such a scheme; for the Commissioners state that they have themselves abandoned it with reluctance. But it appears to us that the statute at present proposed is so much inferior to the original scheme, both as regards the anomalies of tenure and the probable distribution of college patronage, that we venture to suggest that it would be desirable to apply to Parliament, if necessary, for an extension of powers to meet this difficulty. Such an application would receive our hearty concurrence and support." Letters and Papers concerning College Statutes, Trinity College Documents.

<sup>2</sup> The college office, however, must have been held for at least two years by the time when the Fellow would otherwise vacate his fellowship as a layman.

terminable fellowships if only they had been able to concede to clerical ex-Fellows the right of claiming a college living; but though they failed in the enterprise which lay nearest to their hearts, they struck a mortal blow at the old order by allowing the more important college offices to be held by laymen, and by making it possible for a married man to hold a fellowship. But these and many other salutary reforms would never have been made if the college had been left in control of its own destinies. Trinity was by no means the least enlightened of the colleges, but, if it had been left to itself, it would have remained very much as it had been for the past three hundred years. It would be very hazardous to assert that the University could have reformed itself from within, and even more hazardous to say that the colleges could have done so.

## Chapter XVI

### CAMBRIDGE AS IT WAS

EACH generation is firmly convinced that never before has life made such excessive demands upon human energy, and is therefore inclined to make light of the labours of preceding ages. Yet it would be a mistake to think of the University during the first half of the nineteenth century as a place of infinite leisure. It is true that there were far fewer permanent syndicates and no Boards of Studies, and that most members of the Senate were very seldom called upon to engage in University business; but the duties of some of the University officers were at least sufficiently exacting to be felt as a burden. Shortly after Dr Guest of Caius had retired from the Vice-Chancellorship, he declared that he was "in a state of Elysium", being at last delivered "from his horrid enemy, indigestion";<sup>1</sup> and certainly a Vice-Chancellor needed to have a fairly robust physique to fulfil his duties without detriment to his health. As he was almost the sole administrative officer of the University, there was hardly any of its business with which he was not directly concerned; and to demand of a hard-worked man that he should examine for many of the University prizes and scholarships, and manage, without expert assistance, the finances of the University was to increase quite unnecessarily an already very heavy load.

"A necessary consequence of this accumulation of duties upon one person", wrote Peacock, "is the neglect or incompetent performance of many of them; for it can rarely happen that this important office can be filled by a person who possesses such an intimate knowledge of the laws and customs of the University, such varied scholarship and learning, such a perfect mastery of the details of business, and such unwearied industry and activity, as to be able to meet the demands which are made upon him by such severe and distracting labours."<sup>2</sup>

The social duties of a Vice-Chancellor were also onerous. By a custom, dating at least from the eighteenth century, he had to entertain

<sup>1</sup> Diary of J. Romilly, 8 November 1855.

<sup>2</sup> G. Peacock, *Observations on the Statutes of the University* (1841), p. 136.

at dinner all the resident members of the Senate.<sup>1</sup> These dinners were, until about 1834, always given on a Sunday; and when it was usual to dine in the middle of the day, the guests were expected to proceed with their host to the afternoon service at Great St Mary's.<sup>2</sup> Doubtless Vice-Chancellors who were given to hospitality enjoyed these entertainments, and some of them staged them lavishly: Dr Chafy's wine had a very high reputation,<sup>3</sup> and Dr Geldart was considered to have made a magnificent gesture by contracting "for ice at all his parties during his year of office".<sup>4</sup> But many Vice-Chancellors found them extremely wearisome and took little pains about the fare they provided: after dining with Dr Hodgson, Master of Peterhouse, Romilly noted in his diary that it was "a very bad dinner, miserably cooked".<sup>5</sup>

The duties of a Proctor were far less various and exacting, but they were not inconsiderable, particularly after 1846 when the Heads of Houses announced that "it is very important that the Proctors should discharge their office exactly in the vacation as in term."<sup>6</sup> And some of the work which they had to do was of an unpleasant and sordid character: "when you perambulate the streets at night", Dr Okes playfully remarked to one of them, "you rarely see the constellation Virgo".<sup>7</sup> And, moreover, if inclined to be over-zealous they were apt to incur unpopularity with the undergraduates and the colleges; and sometimes even to fall foul of the Vice-Chancellor. In April 1829 the Senior Proctor, Alexander Wale of St John's, was mobbed by undergraduates who pursued him from the Senate House to the gates of his college, hissing and groaning; and though some of the offenders were summoned before the Chancellor's Court, the Proctors were not

<sup>1</sup> There is the following note in the eighteenth-century Memorandum of the Duties of a Vice-Chancellor, Corpus Christi College Documents: "The new Vice-Chancellor invites his predecessor, noblemen and Heads, or as many as convenient, to dine with him on the first Sunday, then the Drs, Proctors, Caput and University officers, and afterwards the B D [sic] and Senate according to seniority."

<sup>2</sup> G. Pryme, *Autobiographical Recollections* (1870), p. 375; Mary Milner, *Life of Isaac Milner* (1842), p. 418.

<sup>3</sup> H. Gunning, *Reminiscences of Cambridge* (1854), vol. II, p. 369.

<sup>4</sup> Diary of J. Romilly, 4 November 1853.

<sup>5</sup> *Ibid.* 30 November 1843. The Vice-Chancellor had also to give a wine party on the day that he was admitted. In the Vice-Chancellor's Book, 1842-1843, Whewell Papers, Whewell records under the date 4 November 1842, "at 5 p.m. I entertained the members of the Senate in three rooms, viz Heads and Noblemen 15, Professors and Officers 26, Masters of Arts etc. 68". These wine parties were abolished by Dr Philpott. Diary of J. Romilly, 15 November 1856.

<sup>6</sup> Whewell's Journal, Whewell Papers.

<sup>7</sup> Diary of J. Romilly, 10 March 1855.

satisfied. Deeming the punishments inflicted by the Court inadequate, they sent in their resignations, and informed the Vice-Chancellor that, unless they had the confidence and support of the Heads of Houses, they could not possibly maintain "the discipline which they have engaged to uphold".<sup>1</sup> Two years before, the Master of Trinity had refused to take disciplinary action against a Fellow Commoner of his college, Augustus FitzClarence, who had been reported by a Proctor for disorderly conduct in the town; though, perhaps, Dr Wordsworth might have acted differently if the erring Fellow Commoner had not been the illegitimate son of the Duke of Clarence.<sup>2</sup> But sometimes the Proctors were at fault. In 1851, without obtaining the permission of the Vice-Chancellor, or even informing him, they published a notice that, having had their attention called to "certain dishonourable practices" in the examination for the degree of B.A., they proposed to "reject every candidate who by his own deed renders his examination equivocal"; and Dr Okes, then Vice-Chancellor, not unnaturally resented their disregard of his authority.<sup>3</sup>

As a rule, however, the Proctors had little or no trouble with the colleges, and for this there is an adequate explanation. Though an ancient statute of the University directed them to submit all disciplinary cases to the Vice-Chancellor, so that they could be dealt with by the Chancellor's Court,<sup>4</sup> it had become customary for them to report undergraduates suspected of sexual offences to their college, which then inflicted the punishment they considered appropriate. Thereby undesirable publicity was avoided; but apparently the colleges were inclined to be too lenient, often only imposing "the same penalty as would be inflicted on one who neglected to attend lectures regularly, a penalty which does not even interfere with the continued indulgence of the vice".<sup>5</sup> But the new statute, *De Disciplina*, which was confirmed by order of the Queen in Council in July 1858, prescribed that "si qui . . . cujuscunque ordinis gravius offenderint, cancellarium certiore faciant procuratores et, si ei videatur, delinquentes in ejus curia crimin-

<sup>1</sup> H. Gunning, *Reminiscences of Cambridge*, vol. II, pp. 367-369.

<sup>2</sup> J. Tomkyns, *An address to the members of the Senate in the matter of Daniel Palfrey* (undated).

<sup>3</sup> University Papers, University Library, C.H. 16.

<sup>4</sup> *Documents relating to the University and Colleges of Cambridge* (1852), vol. I, p. 340.

<sup>5</sup> J. S. Wood, *Remarks on the bearing of the proposed Statute, "De electione Procuratorum et Vice-Procuratorum"*.



entur", which restored the ancient statutory practice, at least for serious offences.

Therefore when on the evening of Sunday, 24 October 1858 George Williams, one of the Pro-Proctors, discovered a Fellow of Caius in a house of ill-fame, he reported the case to the Vice-Chancellor, Dr Philpott, who expressed approval of Williams's action, and decided without hesitation to summon the offender before the Court of the Sex Viri.<sup>1</sup> The Court decided that an admonition was a sufficient penalty, and apparently some of its members regretted that Caius had not been allowed to deal with the offender.<sup>2</sup> But though the punishment imposed may seem slight, it was of great importance that the new statute had been interpreted by the Vice-Chancellor and the Pro-Proctor correctly; and there is no doubt that when on the evening of the following 6 December the other Pro-Proctor, Francis Jameson, found a Magdalene undergraduate in a brothel, he should have followed the same procedure. He, however, decided to inform the authorities of Magdalene that if they would inflict the punishment, which he and the Proctorial body considered appropriate, that is, rustication for three terms, he would advise the Vice-Chancellor, when he reported the case to him, to leave the college to take action.<sup>3</sup> He erred badly, for he had no authority either to require the college to impose a particular punishment or to fetter the discretion of the Vice-Chancellor. And his negotiations with Magdalene failed completely. The college definitely refused to rusticate the undergraduate for three terms or, indeed, to impose any punishment dictated by the Pro-Proctor, thinking it derogatory to its dignity to do so. Had it been allowed to act as it thought best, it would probably have rusticated the offender, though for less than three terms.<sup>4</sup>

Therefore, without having reached any agreement with the college, Jameson reported the case on 10 December to the Vice-Chancellor, who was Dr Bateson, Master of St John's. He was not sympathetically received. Though Dr Bateson on a later occasion very vehemently

<sup>1</sup> Acta Curiae, University Registry Documents, vol. XL; George Williams, *A Letter to the Vice-Chancellor* (1860); *Correspondence between the Vice-Chancellor and the late Pro-Proctors* (1859).

<sup>2</sup> *Correspondence between the Vice-Chancellor and the late Pro-Proctors* (1859).

<sup>3</sup> Jameson later admitted that he had acted wrongly. *Correspondence between the Vice-Chancellor and the Pro-Proctors* (1859), p. 12, note.

<sup>4</sup> A letter from the Master of Magdalene to the Vice-Chancellor, which the latter read during the discussion in the Arts School on 31 January 1859, suggests that the college would have adopted this course. *Cambridge Chronicle*, 5 February 1859.

repudiated the accusation of regarding fornication as a minor offence, he held the very strange opinion that the new statute did not require "any change in our practice with reference to such offenders as are now under our consideration" and that it would have been better if Jameson had dealt with the undergraduate himself or handed him over to the college.<sup>1</sup> If the Vice-Chancellor was of this opinion, he ought to have availed himself of the discretionary power which the statute allowed him, and declined to bring the case before his Court. And, indeed, he afterwards asserted that he would have so acted if Jameson had not persuaded him that there were aggravating circumstances, and that no punishment short of rustication would suffice.

He does not cut a very creditable figure. He cannot be blamed for not wishing to establish a precedent for washing undergraduate dirty linen in public; but he failed to distinguish between what was expedient and what was legally right. And it is clear that, though he agreed to summon his Court, he was annoyed with Jameson, and considered that he had made excessive demands upon Magdalene. He was probably more in sympathy with the prisoner than a good judge ought to be.

The trial was held on 14 December. Jameson was the prosecutor, and as he was considered to have failed to establish "circumstances of special aggravation", the undergraduate was only sentenced to be admonished. This was a far less severe punishment than the Master of the young man's college, and many others, had expected; and although Dr Bateson subsequently contended that "a solemn admonition administered in open Court was equivalent to a severe punishment inflicted in a more private manner",<sup>2</sup> it is unlikely that the undergraduate and his friends thought so. As the Fellow of Caius had escaped with the same penalty, the conclusion might well be drawn that the University authorities did not regard occasional fornication as more than a regrettable incident. And certainly Dr Bateson encouraged this belief by the letter which he addressed to the Senior Proctor immediately after the trial.

"Mr — of — college", he wrote, "was this morning brought before the Vice-Chancellor's Court on the complaint of Mr Jameson, Pro-Proctor,

<sup>1</sup> William Bateson to Francis Jameson, 23 December 1858. *Correspondence between the Vice-Chancellor and the late Pro-Proctors* (1859).

<sup>2</sup> William Bateson to Francis Jameson, 20 December 1858. *Correspondence between the Vice-Chancellor and the late Pro-Proctors* (1859).

Mr — having been found in a house of ill-fame. There were no circumstances of special aggravation in the case. It was the general opinion of the Court that it would have been better if the case of Mr — had been dealt with by the Pro-Proctor himself or had been remitted to the college to which Mr — belongs for punishment. The Court was clearly of opinion that none but aggravated cases of delinquency can be brought before it with advantage to the character and discipline of the University. I shall be obliged if you will make these opinions of the Court known to your colleagues in office.”<sup>1</sup>

This was a most unfortunate letter. Dr Bateson had not been commissioned by the Court to write it, and his only defence was that “there was a sort of understanding that he should write to the Proctors, which he did, considering it his own act”.<sup>2</sup> Further, it either implied that fornication unattended with aggravating circumstances was a venial offence or directed the Proctors to violate the new statute. The letter was, indeed, a censure upon Jameson and, indirectly, upon George Williams; and they were naturally most indignant when they were shown it by the Senior Proctor on the evening of 14 December. Three days later they both addressed protests to the Vice-Chancellor, who, very unwisely, entered into controversy with them. They had by far the best of the argument, though Williams was needlessly offensive; and, after resigning their offices which they could not possibly continue to hold in the circumstances, they published the correspondence. Consequently a very unsavoury scandal was given wide publicity, and found its way into the London Press. Agitated parents passionately protested against the moral laxity of the University authorities, and, as many within the University had also been deeply shocked by the inadequacy of the sentence of the Court and the suggestion that a visit to a brothel was not much more than “cutting” a lecture, the Vice-Chancellor summoned the resident members of the Senate to meet in the Arts School on Monday, 31 January 1859.

Ostensibly the purpose of this meeting was the discussion of the Graces for the appointment of Edward Perowne of Corpus and Thomas Brocklebank of King’s as Pro-Proctors in place of Williams and Jameson;<sup>3</sup> but its real object was to submit the quarrel between the Vice-Chancellor and the late Pro-Proctors to the judgment of the University. The meeting was prolonged, continuing from two o’clock until half-past

<sup>1</sup> *Correspondence between the Vice-Chancellor and the late Pro-Proctors* (1859).

<sup>2</sup> *Cambridge Chronicle*, 5 February 1859.

<sup>3</sup> The meeting was summoned under section 4 of chapter 3 of the new statutes.

five; and most of the time was taken up by lengthy speeches from Bateson, Williams and Jameson in defence of their conduct. Adam Sedgwick also spoke, and severely upbraided Jameson for daring to dictate to a college; and it would have been well if he said no more. But he referred to wrong-headed, puritanical men who took a savage pleasure in enforcing a Draconic law, and called upon his hearers to think "of their own temptations in younger life, and not dare to throw the first stone at the sinner". Dr Philpott's speech was a most agreeable contrast to such sentimental and pernicious vapourings. He took full responsibility for the trial of the Fellow of Caius by the *Sex Viri*, and warmly approved Williams's conduct on that occasion. Consequently he condemned Jameson for negotiating with Magdalene and attempting to prescribe a punishment: all the difficulty had arisen, he declared, from his failure to observe the statute. But he also did not spare the Vice-Chancellor and his Court. Though he admitted that an admonition was a heavy punishment, he did not consider it sufficiently heavy to deter young men from committing the offence of which the Magdalene undergraduate had been convicted, and contended that rustication would have been a more suitable penalty.<sup>1</sup>

The Graces for the appointment of Perowne and Brocklebank as Pro-Proctors were submitted to the Senate on 10 February; and there was a serious danger that they might be rejected. Happily, however, this did not happen. "The question respecting the Pro-Proctors", reported Dr Philpott to General Grey, "has been finally settled to-day by the appointment of two new officers to succeed those who have resigned. Some objection was made to one of the persons proposed, Mr Perowne of Corpus, and the Grace for him was non-placeted but carried by a large majority." But Dr Bateson was obliged to eat the humble pie which he had so richly deserved. "The Vice-Chancellor", added Dr Philpott, "has expressed his intention of acting hereafter in all cases of discipline strictly according to the new statute. I am persuaded that this is the only safe course to follow, and I believe that all will now go on smoothly, though the public agitation of the question recently cannot fail to do much harm to the University."<sup>2</sup>

But Dr Philpott was a little too optimistic. On 1 October 1860 a Grace for the appointment of George Williams as one of the two

<sup>1</sup> *Cambridge Chronicle*, 5 February 1859. A fly-sheet, 4 February 1859, by Charles Clayton, Fellow of Caius, Whewell Papers.

<sup>2</sup> Dr Philpott to General Grey, 10 February 1859, Royal Archives, Windsor Castle.

Proctors for the coming academical year was rejected by twenty-nine to twenty-six votes. "This is a great curiosity," wrote Romilly, "I doubt whether it ever occurred before in the history of the University. I should think George Williams not likely to remain quiet under this marked expression of public feeling."<sup>1</sup> Nor indeed did he, for he immediately published a pamphlet, in which, while expressing gratitude to his opponents for releasing him from "onerous and, often, disgusting duties", he protested against the stigma they had inflicted on him of unfitness to serve as a Proctor.<sup>2</sup> Williams was probably deficient in tact, and was apt, at least on paper, to express himself violently, but he received much sympathy, and the Council was petitioned to re-nominate him as a candidate for the Proctorship.<sup>3</sup> This, however, they wisely did not do, and the danger of the rekindling of the ashes of a discreditable controversy passed away, probably greatly to the relief of Dr Bateson, who must have bitterly regretted the part he had played.

But though many members of the Senate did not wish undergraduates to be severely punished for falling to youthful temptations, there were very few who desired mercy to be shown to the prostitutes infesting the town. A charter, granted by Queen Elizabeth to the University, permitted the Proctors to "make search after common women and others suspected of evil, and place them in prison that the Vice-Chancellor may hear and adjudicate upon the charges made against them";<sup>4</sup> and the Proctors were expected zealously to discharge this particular duty. They always, however, ran a risk of involving the University and themselves in legal proceedings by doing so.

In January 1860 some undergraduates invited certain young women of Cambridge to an evening party at the De Freville Arms, Great Shelford, and engaged an omnibus for the transport of their guests and a small band. On learning of this excursion, Edward Blore, one of the Pro-Proctors, suspected that it was for an improper purpose, and was confirmed in this opinion by hearing that the inn-keeper had been instructed to provide breakfast on the following morning. Therefore on the appointed day he and the Senior Proctor, accompanied by their men, held up the omnibus as it passed by Parker's Piece, and ordered

<sup>1</sup> Diary of J. Romilly, 1 October 1860.

<sup>2</sup> George Williams, *The Proctorial Question at Cambridge* (1860).

<sup>3</sup> *Ibid.* In the event of the rejection of a nominee of a college by the Senate, the statute provided that the Council should nominate two candidates to the Senate as for the Vice-Chancellorship.

<sup>4</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 31.

it to be driven to the Spinning House, which was the University Prison. There the women were examined by the Vice-Chancellor, who sentenced five of them to short terms of imprisonment. The most severe sentence, that of fourteen days, was passed upon Emma Kempe, who was accounted the grossest offender, as she had with her a younger sister, only fourteen years old.<sup>1</sup>

All the prisoners protested that they were virtuous dressmakers,<sup>2</sup> and quite possibly they were dressmakers. But at least one of them had been in the Spinning House before, and the Vice-Chancellor was satisfied that they were prostitutes, though "not of the lowest class".<sup>3</sup> Doubtless such a sensational capture caused a flutter of excitement in the University, and of pride in the hearts of the Proctors; but it had disagreeable consequences, for the Town arranged that Emma Kempe and another of the women should bring actions against the Vice-Chancellor. After many postponements, the hearing of the more important of these two actions, that of *Kempe v. Latimer Neville*,<sup>4</sup> was begun in the Court of Common Pleas on Friday, 30 November; and there was considerable apprehension beforehand that the right of the University to arrest and imprison prostitutes might be ruled to be legally defective.<sup>5</sup> This fear proved to be imaginary, but when the jury found that though the Proctors had reasonable cause for suspicion, the Vice-Chancellor had not made due enquiry into the plaintiff's character, and the Judge directed that a verdict should be entered for the plaintiff, many townspeople assumed that a great victory over the University had been won. Their exultation was premature. When the Judge directed that a verdict for the plaintiff should be entered, he intimated that it was an imperfect verdict; and allowed Sir Fitzroy Kelly, the Counsel for the University, to move for a rule directing the plaintiff to show cause why a verdict should not be entered for the defendant "on the above finding". The rule was granted, and after both parties had been heard, Chief Justice Earle delivered the judgment of the Court.

<sup>1</sup> *English Reports*, vol. CXLII (1914), pp. 556-572. Diary of J. Romilly, 13 February 1860. Emma Kempe was released after five days.

<sup>2</sup> *Cambridge Chronicle*, 4 February 1860.

<sup>3</sup> Diary of J. Romilly, 13 February, 9 March 1860.

<sup>4</sup> Latimer Neville, Master of Magdalene, had been elected Vice-Chancellor in November 1859, and re-elected the following November.

<sup>5</sup> Diary of J. Romilly, 23 March 1860. Dr Philpott to General Grey (undated), Royal Archives, Windsor Castle. This letter was probably written in November 1860.

“It was accepted”, he said, “as an imperfect verdict, rather than that the trial should be rendered abortive by reason of the jury not coming to an agreement, and we consider we give effect to the intention of the jury if we put this construction upon the whole of their finding—that all the allegations in the plea are proved, with the exception that after the hearing the defendant did not make due enquiry into the plaintiff’s character, as he was in their opinion bound to do. In this sense it certainly did not amount to a verdict for the plaintiff, because there is no issue upon the question whether the defendant was bound to make the enquiry which the jury required, and we are clear that he was not legally bound to do so. It therefore was in point of law a verdict for the defendant, because it affirmed the truth of every fact and every inference to support the defence, and which it was for the jury to decide, and it denied only an immaterial fact, which ought not to affect the decision of the case. The result is that the verdict entered for the plaintiff on this finding should be set aside, and the verdict entered thereon for the defendant.”<sup>1</sup>

But the victory of the University had cost it much trouble and expense; and it is unnecessary to dwell further upon the difficulties and dangers encompassing a Proctor. The Registry had a far more pleasant and less exacting office. Romilly, who was Registry from 1832 to 1862, seems to have had a very agreeable time. Though he only had the services of a single clerk, he found at first very little to do; and indeed took such ample advantage of his leisure as to be rebuked by the Vice-Chancellor for his frequent absences from Cambridge during term time.<sup>2</sup> Nor did his labours ever become exacting, for he was seriously pressed to serve as the Secretary of the Royal University Commission.<sup>3</sup> He was therefore not unwilling to receive friendly visits during office hours. When Baroness Mayer de Rothschild and her small daughter intruded by mistake into the Registry, he was remarkably kind to them, particularly to the little girl; and he records in his diary that when on one occasion “two youngsters, who were on the look out for sights,” dropped in, “I showed them everything which I thought likely to interest them, and they expressed much gratitude”.<sup>4</sup> But he turned some of his leisure to better account, and later generations

<sup>1</sup> *English Reports*, vol. CXLII (1914), pp. 556–572. “In the second action, ‘Ebbon v. Neville’, it was agreed by the Counsel on both sides not to come to a hearing, but consent to pay £25 damages to Mrs Ebbon.” *Diary of J. Romilly*, 4 December 1860.

<sup>2</sup> *Diary of J. Romilly*, 2 December 1835, 10 January 1837.

<sup>3</sup> *Ibid.* 17 and 18 October 1850.

<sup>4</sup> *Ibid.* 13 March 1855, 14 May 1857.

owe him a debt of gratitude for his catalogue of the muniments in his charge.<sup>1</sup>

It was fortunate that there were any muniments for him to catalogue. From 1662 a room at the west end of the Divinity Schools had been used as a Registry; and a syndicate, appointed in 1831 to consider its suitability, reported very unfavourably upon it. "There is no fire-place, and although a portion of warm air is occasionally admitted from the stove in the Divinity Schools, the room can only be very imperfectly warmed and ventilated. Many of the documents (some of them of modern date) have been quite destroyed by damp, and many others will shortly be illegible unless they are removed to a more proper place." The syndicate therefore recommended that as "in all probability several years will elapse before a new . . . office can be built", the old Combination Room in King's Old Court should "be adapted to the purpose".<sup>2</sup>

This recommendation was accepted by the Senate, and King's old Combination Room was Romilly's first home as Registry. But five years later the Old Court of King's was pulled down, and the Registry was moved to a ground-floor room at the south-east end of the Pitt Press Building.<sup>3</sup> The far more spacious room on the first floor of the same building was not at the time available, as it housed the pictures which Daniel Mesman had bequeathed to the University; and it was not until 1848, when the Mesman Collection was moved to the recently erected Fitzwilliam Museum, that Romilly began to think seriously of securing this room for the Registry. But he was not at all certain of obtaining it, as it was wanted by two Professors for a lecture room, by Dr Paget for a "bird room",<sup>4</sup> and by the Master of Clare for the meetings of the Press Syndicate, for which it had been originally intended, though never used.<sup>5</sup> He left, however, no stone unturned, applying in person or by letter to every member of the Press Syndicate; and his importunity was rewarded, for the syndicate agreed to recommend that the much coveted room should be assigned to him.<sup>6</sup> And the proverbial slip between the cup and the lip did not on this occasion happen. He records in his diary on 8 November 1848 that

<sup>1</sup> He recorded in his diary on 11 May 1855, that he had completed the "catalogue of my muniments, about which I have been so long engaged"

<sup>2</sup> Syndicate Report, 28 June 1831, University Papers, University Library, F. 1.

<sup>3</sup> Diary of J. Romilly, 5 and 14 March 1836.

<sup>4</sup> When the Baroness de Rothschild visited the Registry, she noticed "a quantity of stuffed birds". Diary of J. Romilly, 14 May 1857.

<sup>5</sup> *Ibid.* 27 October 1848.

<sup>6</sup> *Ibid.* 27 October 1848.



“this day to my great delight the Grace for giving me the Mesman room with the fine bay window passed unopposed”.<sup>1</sup> The Registry was at last suitably housed.

But throughout the first half of the nineteenth century the colleges were far more influential than the University, for their almost exclusive claim to the loyalty and devotion of their members was accepted as axiomatic. And among them Trinity was given pride of place, and not only on account of its size and the wealth of its endowments. A former Fellow of St John's, writing in 1858, gave Trinity unstinting praise for “the services she has performed, the general liberality of her constitution and practice”, and declared that a fellowship of that college was the blue ribbon of academic distinction in England.<sup>2</sup> Yet though Trinity has never stood higher in the opinion of Cambridge and of England than during the period under survey, it was by no means continuously successful, so far as examinations went, in asserting its intellectual superiority over its ancient rival, St John's.<sup>3</sup> During the first thirty or so years of the century, it won a series of triumphs in both mathematics and classics, but later, though continuing to be pre-eminent in classical studies, it began to be eclipsed in mathematics. In 1839 the first four Wranglers were of St John's,<sup>4</sup> and seven of the eight Senior Wranglers from the year 1843 to 1850 were of the same college. In 1853 three of the first four Wranglers were Johnians, and the highest Trinity Wrangler was the eighth. Indeed, during these lean years the publication of the Mathematical Tripos list more often than not caused mortification and distress in Trinity.<sup>5</sup> Thus though the college greatly rejoiced when one of the best mathematicians it had ever produced, Arthur Cayley,<sup>6</sup> was Senior Wrangler in 1842, it was far from being completely happy even on this occasion, as fifteen of the other Wranglers were of St John's and only four of Trinity.<sup>7</sup> Indeed, Romilly very rarely had an excuse to

<sup>1</sup> Diary of J. Romilly, 8 November 1848.

<sup>2</sup> Charles Merivale, *Open Fellowships* (November 1858).

<sup>3</sup> In a letter addressed to Whewell, which, though undated, can be safely assigned to the year 1843, J. C. Hare remarks “my last bit of Cambridge news, the Classical Tripos, also grieved me much. What has happened to Trinity? One man in the first class, and he the seventh, when we used to have six or seven out of eight”—Whewell Papers. But 1843 was an exceptionally bad year in classics for Trinity.

<sup>4</sup> According to Romilly this was unprecedented. Diary, 18 January 1839.

<sup>5</sup> Diary of J. Romilly, *passim*.

<sup>6</sup> Whewell is said to have asserted that “Trinity had only produced three mathematicians of the highest class, Newton, Airy and Cayley”. MS. Diary of F. H. Bowring.

<sup>7</sup> Diary of J. Romilly, 22 January 1842.

strike such a triumphant note in his diary as when James Stirling became Senior Wrangler in 1860. "Hurrah for Trinity," he wrote, "we have got the Senior Wrangler, and a thoroughly good one he is: his name is Stirling. He gained the Sheepshanks' Exhibition (which first came into existence last term), and was very highly thought of by all the examiners: he has gained his post triumphantly, for it is said that his marks exceed the 2nd Wrangler by 2000."<sup>1</sup>

The smaller colleges could not compete with Trinity and St John's, but some of the difficulties under which they laboured were not as insuperable as they supposed them to be. They were not to blame for failing to attract many undergraduates of marked ability, for several of them had comparatively few emoluments to offer;<sup>2</sup> but they would have certainly benefited themselves if they had organised a system of intercollegiate instruction, and taken power, when required, to elect men of other colleges to their fellowships, as was a common practice at Oxford.<sup>3</sup> For, as it was, having few Fellows, and those not often of great intellectual distinction, they found it difficult to maintain a really effective teaching staff. In nearly all of them mathematics were better taught than the classics, and it was partly on this account, and partly no doubt on account of the poverty of their material, that they very seldom produced a Senior Classic, a Craven Scholar or a Chancellor's Medallist. In mathematics they did better, Caius having six Senior Wranglers, Queens' five, Peterhouse three, and St Catharine's two during the first sixty years of the century; but some colleges did not even have one, and sometimes not even a single Wrangler. But whenever they carried off the highest honour of the Mathematical Tripos, they were excessively jubilant, and one of them, Peterhouse, made a practice of entertaining the hero of the occasion.<sup>4</sup>

Their numbers also fluctuated far more than those of the two large foundations. In 1814 Queens' was the fourth largest college in the University,<sup>5</sup> and in 1821 Jesus was described as "the most numerous

<sup>1</sup> *Ibid.* 27 January 1860. As Stirling was not a member of the Church of England, he was not eligible for a fellowship. He was called to the Bar, and became a Judge of the Court of Appeal.

<sup>2</sup> H. Arlett, a former Tutor of Pembroke, informed the Royal University Commissioners that "at a small college the candidate for high honours is often a solitary man". *University Commission Report (c. 1852)*, Correspondence and Evidence, p. 144.

<sup>3</sup> C. Merivale, *Open Fellowships* (1858).

<sup>4</sup> Diary of J. Romilly, 28 January 1854.

<sup>5</sup> James Venn, *Annals of a Clerical Family* (1904), p. 153. A. Wilkinson to W. Whewell, 30 November 1825, Whewell Papers.

of the lesser colleges";<sup>1</sup> but in November 1857 only three undergraduates of Queens' were matriculated, and in 1859 only five of Jesus.<sup>2</sup> But, with the exception of Downing, which had no past and seemed to have no future, all of them could claim to be more flourishing than in the eighteenth century, and more attentive to their obligations. Certain of them, moreover, had distinctive characteristics. In the early years of the century Emmanuel was "like Eton, . . . a very idle, though a very gentlemanlike, college";<sup>3</sup> and both Magdalene and Queens' were strongholds of the evangelical party. And even to be like Corpus, "famous for its ale and for nothing else",<sup>4</sup> was at least something.

The colleges were generally very reluctant to change their customs. When George Airy went up to Trinity in 1819, dinner in hall was at quarter-past three, and some of the older Fellows, who remembered when it was served at two o'clock, complained of the lateness of the hour.<sup>5</sup> But many of the younger Fellows were of the contrary opinion, and some of them began in 1830 to agitate for the dinner hour to be four o'clock;<sup>6</sup> and though both the Master and the Vice-Master were opposed to the change, the younger party prevailed.<sup>7</sup> A few years later another inconvenience made itself felt at Trinity. As the college had much increased in size, the hall was found too small for all the undergraduates, Bachelors of Arts and Fellows to dine together in comfort. "There was hardly room", we learn, "for such a host of undergraduates."<sup>8</sup> Therefore, in the Michaelmas term 1844, the freshmen dined on Feast Nights at five o'clock, and on ordinary nights sat at the Dean's table;<sup>9</sup> but this was only a very makeshift arrangement, and on 28 October 1848 the Seniority decided that there should always be a second hall dinner at five o'clock for the freshmen pensioners.<sup>10</sup>

<sup>1</sup> Wordsworth's *R.B. Books*, vol. 1, p. 157.

<sup>2</sup> Diary of J. Romilly, 13 November 1857, 9 November 1859.

<sup>3</sup> G. W. Kitchin, *Memoir of E. H. Browne* (1895), p. 22.

<sup>4</sup> *Alma Mater* (1827), vol. 1, p. 109.

<sup>5</sup> *Autobiography of Sir G. B. Airy*, edited by Wilfred Airy (1896), pp. 45-46. Airy mentions that there was also supper in hall at nine o'clock, but that this meal was rarely patronised by undergraduates, though a few of the older Fellows attended it. "One little arrangement amused me as shewing the ecclesiastical character of the college. The fasts of the Church were to be strictly kept, and there was to be no dinner in hall. It was thus arranged. The evening chapel service which was usually at 5.30 (I think) was held at 3, and at 4 the ordinary full meal was served in hall, but as it followed the chapel attendance, it was held to be supper."

<sup>6</sup> Diary of J. Romilly, 24, 28 and 30 March 1830.

<sup>7</sup> Wordsworth's *R.B. Books*, vol. III, p. 173.

<sup>9</sup> Diary of J. Romilly, 3 and 21 November 1844.

<sup>8</sup> MS. Diary of F. H. Bowring.

<sup>10</sup> *Ibid.* 28 October 1848.

The Fellows, the Bachelors and all the undergraduates except the freshmen pensioners continued to dine at four o'clock; and on 27 February 1862 the Seniority rejected a petition from some of the Fellows that there should be "two dinners in hall for the undergraduates: one at five o'clock as before: the other, for the Fellows also, at half-past six".<sup>1</sup> This seemed to Romilly a fantastic proposal;<sup>2</sup> but four o'clock was found inconveniently early by undergraduates, who wanted as much of the afternoon as possible for their games;<sup>3</sup> and therefore "for the comfort of the youngsters" the Seniority agreed on 25 October 1862 "to alter the dinner hour . . . for the October and Lent terms, viz. the weekday dinner hour to be 4.30 (instead of 4), and the dinner hour of the freshmen to be 5.30 (instead of 5)".<sup>4</sup> But some of the other colleges had been more progressive: by the middle of the century the hall dinner in Caius on weekdays was at five o'clock, and in Magdalene at 5.30.<sup>5</sup>

It had been customary for undergraduates to dress for dinner, but after about the first quarter of the century they ceased to do so.<sup>6</sup> But the dinner had never been served under conditions which we should regard as dignified, and this lack of refinement continued. The men carved for themselves, the joints being pushed along the tables; and the waiting was done by gyps and by bedmakers arrayed in bonnets and shawls.<sup>7</sup> The bonnets and shawls were probably not unnecessary, as the halls were most inadequately warmed: at Trinity the only provision for heating was a charcoal fire in a brazier.<sup>8</sup> And the fare was more satisfying than appetising. Joints and vegetables were on the table, but that was all, and if a young man wanted a sweet or cheese, he had to

<sup>1</sup> J. W. Clark, *On the Proposed Change of the Hour of Dinner in Hall* (1862).

<sup>2</sup> Diary of J. Romilly, 27 February 1862.

<sup>3</sup> J. W. Clark, *On the Proposed Change of the Hour of Dinner in Hall* (1862).

<sup>4</sup> Diary of J. Romilly, 25 October 1862. Trinity College Conclusion Book.

<sup>5</sup> J. Venn, *Biographical History of Gonville and Caius College* (1901), vol. III, p. 184. Diary of J. Romilly, 5 December 1840. J. W. Clark, *On the Proposed Change of the Hour of Dinner in Hall* (1862).

<sup>6</sup> J. Venn, *Early Collegiate Life* (1913), p. 270.

<sup>7</sup> "At the Seniority the Master proposed a reformation of the dress of the waiters in hall, viz banishing the bonnets and shawls of the women and dressing them in tidy caps: this, I think, will be tried, but the project of putting the gyps in livery seems more doubtful"—Diary of J. Romilly, 7 February 1851.

<sup>8</sup> When Edleston proposed that the hall of Trinity should be heated by hot water, he was opposed by a majority of the Seniors. Diary of J. Romilly, 26 November 1854.

pay extra for it.<sup>1</sup> But sweets were included in the free commons of the Trinity Scholars.<sup>2</sup>

The charge for dinner at Trinity was two shillings, and Joseph Romilly doubtless thought the comparison particularly odious when his young cousin, William Romilly, complained that at the "eating houses near University College, he used to get an excellent dinner of meat and pudding for one shilling, and at Christmas turkey and mince-pie for the same price".<sup>3</sup> Nor was this young man alone in thinking the charge for the hall dinner excessive, for in the Lent term of 1854 the fourth-year men lodged a protest against "the badness and dearness" of the fare provided.<sup>4</sup> But college authorities are not apt to be deeply stirred by undergraduate complaints of the hall dinner, being so accustomed to them.

Their attitude, however, towards attendance at the college chapel was very different then from what it is now. They had at least an arguable case when they asserted that it was an obligation upon those members of the college, who belonged to the Church of England, to attend the chapel services, and that it was incumbent upon the college authorities to enforce that obligation; but they went much further, and degraded divine worship into a disciplinary measure.

"If I were asked to name one thing," remarked a Trinity Tutor in an address to his pupils, "... which you would be bound to grant me on condition that I should ask no more, it would be a promise that you would every morning of your life be in your proper place in the college chapel. First—it is your duty: which ought to be reason enough for you. At your time of life, coming here to be trained, agreeably to certain settled rules, to the formation of a sound judgment and wholesome habits of thought, it never can be for your profit to have your mind continually distracted by a captious spirit of doubt and cavil and crude questioning of the laws framed for your direction by the concentrated wisdom of many bygone generations. Therefore you never can be wrong if you determine to do or to refrain from doing anything simply because it is your *duty*: because such is the rule."<sup>5</sup>

A few years later a Fellow of Christ's remarked with reference to

<sup>1</sup> Scholars and Sizaris of Trinity, who had free commons, were charged for vegetables until 17 December 1851 in the case of Scholars, and until 4 February 1852 in the case of Sizaris. Trinity College Conclusion Book.

<sup>2</sup> *The Cambridge Portfolio* (1840), vol. II, p. 346.

<sup>3</sup> Diary of J. Romilly, 3 February 1854.

<sup>4</sup> *Ibid.*

<sup>5</sup> T. Thorp, *A Few Words to Freshmen* (1841).

these days "students were then informed that it was merely as a matter of discipline that they were required to attend".<sup>1</sup>

But almost certainly a very large number of undergraduates went to chapel not from a sense of duty to God or to a college rule, but only because the consequences of not doing so were likely to be inconvenient. Most of them cannot possibly have derived any spiritual benefit from their attendance, and even the devout must have found it very difficult to worship in the uncongenial atmosphere generated by a congregation of conscripts. But the devout were few, and the majority of the worshippers asked no more than that the service should be short. Their demands were sometimes satisfied, for there was a chaplain of Trinity who was always known as *Pontius Pilate* because he claimed that he could give any other chaplain a start down to *Pontius Pilate* in the Creed, and yet be through the service before him.<sup>2</sup>

The young men must have found it a nuisance to have their slumbers in the morning and their wine parties in the evening interrupted by the call to prayer; but as few of them were radically inclined, most of them accepted the rule of compulsory chapel as part of the traditional college system, and, if they reflected at all, decided that they must take the rough with the smooth. But there were limits to their respect for tradition, as Christopher Wordsworth, when Master of Trinity, discovered.

Wordsworth had several bees in his bonnet, and the chapel bee was for ever buzzing. When he became Master, the college rule seems to have been that undergraduates should attend every week three morning services and three evening services, in addition to the morning and evening services on Sunday, and that a prescribed number of attendances, though less than for undergraduates, should be made by Bachelors of Arts, Fellow-Commoners and Noblemen.<sup>3</sup> But Wordsworth had not been long in office before he became aware that the Bachelors of Arts, and probably also the Fellow-Commoners and Noblemen, were not attending chapel as they should, and, what was a more difficult problem, that many of the Fellows were also very remiss. Greatly distressed, he consulted in October 1820 with the Senior Dean, and, possibly at the latter's suggestion, decided at the outset to "try them not on principles of coercion but of good will".<sup>4</sup>

<sup>1</sup> C. A. Swainson, *The College Chapel and the University Church* (1850).

<sup>2</sup> *Alma Mater* (1827), vol. 1, p. 82.

<sup>3</sup> Wordsworth's *R.B. Books*, vol. 1, p. 61.

<sup>4</sup> *Ibid.* vol. 1, p. 39.

It was not long, however, before he felt himself compelled to resort to sterner measures; and in February 1822 he published a notice to the Bachelors of Arts, warning them that his patience was not inexhaustible. "The Master", he announced, "takes this method of signifying to the Bachelors resident in college that it would be particularly satisfactory to him to notice on their part a voluntary and habitual attendance at chapel, without any interference from him or the college officers in the way of constraint and discipline: but he further desires it distinctly to be understood that he cannot be satisfied with any attendance short of a presence on all surplice mornings<sup>1</sup> and on four evenings weekly."<sup>2</sup> He prudently did not adopt the same minatory tone with the Fellows, but, as has previously been mentioned,<sup>3</sup> he exacted a pledge from the Tutors and Assistant Tutors to attend chapel frequently.

But the scorpions were reserved for the undergraduates, and the motion passed by the Seniority on 22 April 1824 was almost certainly the handiwork of Wordsworth.

"It having been observed", it states, "that some undergraduates are in the practice of irregularly absenting themselves from chapel, it is ordered by the Master and Seniors that every undergraduate, not having an ægrotat or dormiat,<sup>4</sup> do attend morning chapel five times at the least in every week, or four at the least including Sunday; and the same number of times in the evening, under penalty that the week, in which any one shall not have so attended, be not reckoned towards keeping the term of such undergraduate—unless that omission be repaired by extra attendance the week following."<sup>5</sup>

It will be noticed that the undergraduates were not required to attend more chapel services than hitherto, and were, indeed, conceded slightly more liberty, as Sunday attendance could apparently be avoided; but the penalty for irregularity was made more severe. And this appears to

<sup>1</sup> Surplices are worn in college chapels on Sundays, Saints' Days and the evenings before Saints' Days.

<sup>2</sup> Wordsworth's *R.B. Books*, vol. III, pp. 30-31.

<sup>3</sup> See p. 73.

<sup>4</sup> A dormiat was leave to be absent from morning chapel.

<sup>5</sup> Trinity College Conclusion Book. W. W. Rouse Ball, *Cambridge Papers* (1918), pp. 71-72. It can be safely assumed that this rule was not intended to apply to Noblemen and Fellow Commoners; and in any case they would not have suffered much by the loss of a term, as many of them did not proceed to a degree.

have been Wordsworth's consistent policy—to require of the undergraduates no more chapel attendances than formerly, but to insure as far as possible that the requirement was obeyed.<sup>1</sup>

It is not unlikely that the college authorities found it impossible strictly to enforce a rule which made no distinction between occasional and habitual irregularity; but, whatever was the reason, Wordsworth seems to have thought that new regulations were required. Again he had his way, and on 7 February 1838 the Seniority approved a graduated series of penalties for non-attendance at chapel.

“Agreed at the same time”, runs the entry in the College Conclusion Book, “that all undergraduate Scholars and foundation Sizars do attend chapel eight times at the least in every week, including Sunday morning and evening, the Scholars on pain of losing their statutable allowance for commons, and such additions as have been since made by the college by way of augmentation to the commons, for every week where there has been a failure of such attendance as is above required; and the Sizars on pain of incurring ipso facto an equivalent deduction in money from their allowances. Agreed also that a like attendance be required from all other undergraduates; and that in case of failure the parties under such default be forthwith admonished by the Deans, and if, after such admonition, irregularity be persisted in, notice be sent by the Dean to the Tutor, that a warning from him also may timely be given: after which, if both these means shall fail in producing regularity, the offender shall be reported by the Dean to the Master (or in his absence to the Vice-Master) to receive a formal admonition from him in the presence of the Dean, a record of which shall be preserved: and, finally, in all cases where such formal admonition shall have been incurred three times, the offender shall ipso facto be removed from the college either for one or more terms or entirely, according to the circumstances of the case—a record of this sentence being also preserved. N.B. Authority is given to the Deans to grant occasional leave of absence on special application made previously, but not otherwise. And also, on any casual failure of attendance, it is allowed to the Dean, to accept (in order to make up the deficiency) an equivalent attendance on other days during the same week only; any failure on Sunday to be compensated by attendance twice on other days.”<sup>2</sup>

<sup>1</sup> Thus in December 1827 Wordsworth recorded a new chapel rule, which may of course never have come into force—“to go once a day—morning or evening (or what in number would be equivalent thereto). But on Sundays to go twice”. Wordsworth's *R.B. Books*, vol. III, p. 129.

<sup>2</sup> Trinity College Conclusion Book. W. W. Rouse Ball, *Cambridge Papers* (1918), p. 74. The entry was not accurately transcribed by Mr Ball.



The undergraduates on hearing of these new regulations may well have reflected that there was no peace for the wicked. The penalties imposed were not superficially unreasonable, as ample time was given for repentance before the ultimate punishment of rustication was incurred; but the victims were probably not much impressed by the clemency of the authorities. They perceived that the rule of compulsory attendance at chapel was to be strictly enforced, and that, unless they kept it to the letter, they would be harried from pillar to post, or, more correctly, from Dean to Tutor, and live in constant fear of admonitions from the Master, and what those admonitions, if repeated, entailed. And they at least had one sympathiser among the Seniors. Romilly, who had not been present at the meeting which approved the regulations, considered them to be extremely objectionable, and declared that they must be changed.<sup>1</sup>

The undergraduates did not quietly submit to what they thought to be a tyranny. Some of them composed and circulated violent lampoons and blasphemous parodies, in which the Fellows, and, particularly, Whewell and Charles Perry, then an Assistant Tutor, were ridiculed;<sup>2</sup> but the Seniority promptly took measures against this mode of attack, and expelled a freshman, John Lang, who had been caught in the act of dropping a parody of the Litany into Perry's letter-box.<sup>3</sup> Others conducted a more decorous method of warfare by establishing an organisation styled the Society for the Prevention of Cruelty to Undergraduates, which weekly circulated lists of the attendances of the Fellows at chapel with ribald comments. A footnote to the list for the week ending 3 March 1838 is a fair example of their jeers. "The Society, in laying the report for the past week before the public, have great pleasure in remarking that the Fellows have been, on the whole, *rather* more regular in their attendance at chapel than on any previous week. A prize for general regularity and good behaviour when in chapel has been instituted by the Society, who are as anxious to reward merit as they are to punish immorality.<sup>4</sup> But whilst they thus wish to instil into the minds of the Fellows those religious feelings which, owing to a bad education they may possibly be without, the Society

<sup>1</sup> Diary of J. Romilly, 6 March 1838.

<sup>2</sup> *Ibid.* 6 March 1838.

<sup>3</sup> *Ibid.* 14 and 15 March 1838. The parody contained the following petitions: "That the Master may not disturb the devotions of the congregation by his loud responses: that Mr Whewell may learn the manners of a gentleman."

<sup>4</sup> The Prize, a handsomely bound Bible, was awarded to Perry.

most distinctly declare that they shall not be guided merely by an outward show of religion. It is not therefore enough to go merely eight times a week to chapel, and when there to utter the responses so loud as to attract attention, or otherwise disturb the prayers of undergraduates. Such conduct will at all times be severely punished. But there will be a general examination of the Fellows at the end of each term, when they will be classed according to their merits."<sup>1</sup>

The first of these lists appeared on 17 February 1838, and the last on 24 March; and the excuse given for discontinuing their publication was that the college authorities had agreed to withdraw the new regulations. This may not have been true, and probably the real reason was the fear of detection.<sup>2</sup> But it is very likely that the obnoxious regulations ceased to be strictly enforced. The prolongation of the strife would damage the prestige of the college, and, as in consequence of the recent agitation for the admission of Dissenters to degrees, the rule of compulsory chapel attendance had come under much adverse criticism in Parliament and elsewhere, the contest might acquire an undesirable publicity. Wordsworth, for it was he who was mainly responsible for the action of the Seniority, had committed a very inopportune blunder.<sup>3</sup>

He was sincerely anxious to improve the religious life of the college; but he had taken hold of the stick by the wrong end. He would have done far better to make more adequate provision for religious instruction. Only when the Holy Sacrament was administered, which was not more than once or, at the most, twice a term, was there a sermon;<sup>4</sup> and as

<sup>1</sup> Some of these lists are in Trinity College Library.

<sup>2</sup> "The students", Whewell informed the Royal University Commissioners in January 1851, "are required to attend at the service once at least every day, and twice on the Sunday. Default of attendance is noticed by remonstrance from the Deans, and by constraints and 'impositions', or tasks imposed by them. If this does not suffice, the Tutor is referred to, and if his interference is ineffectual, the defaulter is brought before the Master or the Seniors; and, if obstinate in his fault, is rusticated or otherwise removed." It is evident that these requirements are much the same as the regulations approved by the Seniority on 7 February 1838. *University Commission Report* (1852), Correspondence and Evidence, p. 414.

<sup>3</sup> For a detailed account of this episode, see W. W. Rouse Ball, *Cambridge Papers* (1918), chapter iv. There are minor slips in Mr Ball's quotations from the College Conclusion Book.

<sup>4</sup> "The Holy Communion is administered on the three greater festivals of Christmas, Easter and Whitsunday, and on one day at least during each of the three Terms" — *University Commission Report* (1852), pp. 145-146. The practice of having the Communion service on a weekday continued during the early years of the nineteenth century. On 5 March 1843 Romilly noted in his Diary, "Last Sunday we began at Trinity to have the terminal Sacrament on Sunday: it used to be on the

attendance at the Communion Service was, very rightly, not obligatory,<sup>1</sup> those most in need of instruction seldom received it.<sup>2</sup> The undergraduates could of course always attend either one or both of the Sunday University Sermons preached at Great St Mary's Church; but few of them did so. By the middle of the century, however, if not before, frequent Sunday sermons had become the practice at some of the colleges, but by no means at all; and not at Trinity, where the experiment had broken down after two terms.<sup>3</sup> And at least one Fellow of Trinity, Thomas Hedley, the Junior Dean, was painfully conscious that the greatest college in the University was failing in its duty to its undergraduates; and in August 1854 appealed to Whewell "that we should have a sermon in chapel every Sunday morning—at least in Term, if not in the short vacations". He had, moreover, a scheme prepared. "As there is extreme difficulty (best known to Deans)", he remarked, "in getting all the men to attend the service at 8 o'clock, we should have the service at half-past ten. We could then secure a full attendance. I should hope by this means to gain another important point—viz. to put a stop to breakfast parties on Sunday morning (which are at present common and very mischievous), and to occupy a part of the day which hangs heavily on the hands of many undergraduates, and is passed often in smoking, etc."<sup>4</sup>

But it was not until 7 December 1856 that the Trinity Seniority took even the half step of making provision for two Sunday sermons in the chapel during each term, for which the Tutors and Deans were to be responsible.<sup>5</sup> They thought, no doubt, that they had done enough, but

Thursday after Division. We have now imitated the rest of the University in having it on a Sunday"—Diary of J. Romilly, 5 March 1843. In the Lent term of 1859 the Sacrament was administered twice in Trinity Chapel, but this may have been exceptional. *Ibid.* 8 May 1859. In a letter to Whewell of 12 August 1854, Thomas Hedley, then Junior Dean of Trinity, remarked, "I know that I am suggesting a great change in proposing to celebrate the Holy Communion every Sunday: but I believe there is not a small number of undergraduates who would gladly have the opportunity of partaking of it weekly"—Whewell Papers.

<sup>1</sup> Wordsworth, however, attempted to make it so. "Ordered by the Master and Seniors that a special register be kept of the attendance of all persons *in statu pupillari* at the Sacrament, and that an habitual absence will be considered as a serious breach of discipline"—Trinity College Conclusion Book, 21 May 1821. Happily, this did not continue to be the practice of the college.

<sup>2</sup> This point is made in an undated petition to the Seniority for more Sermons, which is among the Whewell Papers. <sup>3</sup> Diary of J. Romilly, 3 December 1856.

<sup>4</sup> Thomas Hedley to W. Whewell, 12 August 1854, Whewell Papers.

<sup>5</sup> Diary of J. Romilly, 3 December 1856.

it was not long before they were disillusioned by receiving two petitions on the subject.<sup>1</sup> One of these petitions, signed by ten "resident members of the foundation of Trinity College in Holy Orders" urged "the importance of having sermons in the college chapel", and nine of the ten signatories pledged themselves "to be responsible for a sermon every Sunday evening during term". The other petition, which seems to have been presented a little later, made a similar request, and the signatories, who described themselves as "resident Major Fellows and Chaplains of Trinity", undertook, like the others, to preach the sermons. These influentially signed petitions carried weight, and the Seniority decided that from the Lent term of 1859 there should be a sermon in chapel on every Sunday morning in term. The experiment was successful, and therefore on 11 October 1859, and again on 8 December 1860, the Seniority agreed to continue it.<sup>2</sup>

The influence of the Seniority's action was not restricted to the college. The University Sermon on Sunday morning in Great St Mary's had been for many years a grievance of the parishioners of that church. When it was at eleven o'clock, the parochial service had to begin at ten o'clock, and this was found to be an inconvenient hour. "Households", it was alleged, "can scarcely be so ordered as to be ready to attend divine worship so early as ten o'clock"; and if the Psalms and Lessons were unusually long, there was hardly time to get through the service without irreverent hurry.<sup>3</sup> Nor was it possible to administer the Holy Sacrament "with certainty and regularity", except on the festivals of Easter, Whitsunday and Christmas Day;<sup>4</sup> and therefore Whewell in March 1843, being Vice-Chancellor, changed the hour of the University Sermon to half-past ten, "as an act of Christian kindness".<sup>5</sup> It was thereupon arranged that the parochial service should begin at half-past eleven; but the parishioners remained dissatisfied, complaining that such an hour interfered with the preparation of the hot Sunday dinner.<sup>6</sup> This can hardly be counted an insuperable obstacle,

<sup>1</sup> These petitions, which are among the Whewell Papers, are undated, but they were probably presented in 1858.

<sup>2</sup> Diary of J. Romilly, 8 May, 11 October 1859, 8 December 1860.

<sup>3</sup> William Carus to Churchwardens of Great St Mary's, 22 March 1843, Whewell Papers.

<sup>4</sup> *Ibid.*

<sup>5</sup> 23 March 1843, University Papers, University Library, F.A. 8592.

<sup>6</sup> *A Plea for University Sermons on Sunday mornings*. This pamphlet is undated and anonymous; but there is evidence that it appeared in February 1860, and that the author was Candy of Sidney. Diary of J. Romilly, 19 February 1860.

and a more valid reason for discontinuing the morning sermon was the poor attendance at it. George Leapingwell, who as an Esquire Bedell was obliged to attend, stated that "the Heads were represented by Dr Guest, the Professors by Pryme and Jeremie (very irregularly), the Masters of Arts average three and the undergraduates, six".<sup>1</sup> Yet the Senate in 1858 rejected by twenty-three votes to seventeen a Grace recommending that "the sermons on Sunday mornings, excepting the Sunday before 3 November and the Sunday before Magna Comitia, be discontinued";<sup>2</sup> and from the preliminary discussion of this Grace in the Arts School, it appears that the inadequacy of the provision for college sermons was the principal argument advanced in favour of continuing the existing practice.<sup>3</sup> But this argument had lost some of its force when the same Grace was brought forward again in February 1860. It is true that even then there were only six colleges in which Sunday sermons were regularly delivered;<sup>4</sup> but as Trinity with its numerous undergraduates was among them, it could be reasonably maintained that the spiritual life of the younger generation would not seriously suffer by discontinuing the University Sermon on Sunday morning.<sup>5</sup> Yet, though the Grace was passed by a large majority, it might possibly have been rejected if it had not been understood that all the colleges were prepared to provide sermons for their undergraduates. "It has been thought better", wrote Dr Philpott on 23 February 1860, the day on which the Grace was carried, "to substitute a Sunday morning sermon in every college chapel where the students are obliged to attend, instead of the University Sermon which, in point of fact, very few students attended. Each college will now have a complete morning service on Sunday in its own chapel; the sermons being taken by the Master and Fellows in turn."<sup>6</sup>

It is evident that the duty of providing religious teaching and instruction for the undergraduates was coming more and more to be recognised; and in other respects, also, there had been progress. In the early years of the nineteenth century many of the Fellows led lives unbecoming to

<sup>1</sup> Diary of J. Romilly, 10 February 1860.

<sup>2</sup> The Commemoration of Benefactors was on the Sunday before 3 November, and the Sunday before Magna Comitia was Commencement Sunday.

<sup>3</sup> *Cambridge Chronicle*, 29 May 1858. It was, however, agreed to discontinue the Sunday morning sermon during the Long Vacation.

<sup>4</sup> *A Plea for University Sermons on Sunday mornings*.

<sup>5</sup> *Cambridge Chronicle*, 11 and 18 February 1860.

<sup>6</sup> Dr Philpott to General Grey, 23 February 1860, Royal Archives, Windsor Castle.

clergymen and instructors of youth. "You will remember", wrote Macaulay to Whewell, "two reverend gentlemen who were high in college office when I was an undergraduate. One of them never opened his mouth without an oath, and the other had killed his man."<sup>1</sup> Henry Venn, who began residence at Queens' in October 1814, was never known to push his principle of speaking well of all men so far as to say that any of the Fellows of his college in his time were "either willing or able to sympathise with the students, or influence them for good"; and he records that on one occasion these reverend gentlemen, as Macaulay would have called them, fell to fisticuffs in the presence of undergraduates and strangers.<sup>2</sup> It is charitable to assume that they were drunk, and, indeed, they may well have been, for in the early years of the nineteenth century there was still much heavy drinking. On the evening of 17 January 1833 Romilly gave wine to eight friends, including George Peacock and Thirlwall; and as they finished off nine bottles of port, he can be excused for saying that "they drank like fishes".<sup>3</sup> He was, however, very familiar with such scenes. It was by no means unknown for Fellows to become intoxicated in the Combination Room or at private parties;<sup>4</sup> and in April 1834 one of the Seniors was too far gone to attend the scholarship election meeting at the Master's Lodge. "Poor Greenwood was sadly overcome: whether he had drunk wine on an empty stomach, or had ventured on a glass of spirits in the morning, he was not able to walk after Hall, . . . and not able to make his appearance at tea at the Master's Lodge, where we elected Scholars without him."<sup>5</sup> But though Romilly was very far from being censorious, he was much annoyed when an evening party he was giving, at which ladies were present, was intruded upon by the distinguished Anglo-Saxon scholar, Kemble, "so drunk that he could hardly speak or stand. I received him", added Romilly, "very coldly, and in about five minutes he had just sense enough to go away."<sup>6</sup>

But in 1851 Adam Sedgwick, when giving his niece a description of the New Year festivities in the Trinity Combination Room, remarked "some will sit long; but I am happy to say that no man will now drink

<sup>1</sup> T. B. Macaulay to W. Whewell, 27 February 1854, Whewell Papers.

<sup>2</sup> John Venn, *Annals of a Clerical Family* (1904), p. 153 and note.

<sup>3</sup> Diary of J. Romilly, 17 January 1833.

<sup>4</sup> Diary of J. Romilly, 24 November 1828, 13 April 1832.

<sup>5</sup> Diary of J. Romilly, 9 April 1834.

<sup>6</sup> *Ibid.* 10 March 1834.

deep";<sup>1</sup> and certainly by the middle of the century manners, both at Cambridge and elsewhere, had undergone a change for the better, and intoxication had come to be regarded as a social offence. There were still a few hardened toppers, as, for instance, the Professor, of whom his bedmaker remarked, "he is a very nice man, he do drink dreadful";<sup>2</sup> and the distinguished classical scholar who daily consumed a "quite appalling" quantity of beer;<sup>3</sup> but such excesses were now frowned upon. But there was an abundance of pleasant and decorous conviviality. As all the Fellows were bachelors, and therefore not liable to have their social instincts kept in check by careful wives, dinner parties in college were frequent; and during Whewell's mastership, Trinity Lodge was the scene of many pleasant gatherings. "What a change", remarked Adam Sedgwick, "since the late Master's time, who lived like a hermit."<sup>4</sup>

There was also a dinner club, which still exists, known as "The Family"; and then, as now, to belong to that select company was a distinction coveted even by Heads of Houses, of whom there were generally five or six in the club.<sup>5</sup> Yet, though its membership was august, the club had a slightly Bohemian atmosphere. Romilly, who dined with it for the first time on 16 December 1834, was disgusted by the introduction of pipes and "spitting boxes", which he thought "most filthy"; but he philosophically remarked that "as it is the invariable custom, one must bear it".<sup>6</sup> After dinner there was generally whist, which sometimes continued until the early hours of the morning;<sup>7</sup> but the dinner was the great attraction, and a host could acquire merit by providing even an unpalatable dish if it was a novelty. "Dined at the Family at Shaw's," entered Romilly in his diary on 6 March 1846. "A most magnificent dinner with real turtle and buffalo hump. This last is worthless, being like very coarse, stringy, oversalted beef: I had never seen buffalo hump before, and was therefore much pleased at

<sup>1</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. II, p. 214.

<sup>2</sup> Diary of J. Romilly, 26 November 1852.

<sup>3</sup> *Ibid.* 23 September 1851.

<sup>4</sup> J. W. Clark and T. McKenny Hughes, *Life and Letters of Adam Sedgwick* (1890), vol. II, p. 137.

<sup>5</sup> In the Michaelmas term of 1835 the Family consisted of five Heads of Houses, the Public Orator, the University Librarian, the Registrar, Professor Haviland and four others. Diary of J. Romilly, 30 October 1835.

<sup>6</sup> *Ibid.* 16 December 1834. Sometimes smoking was not allowed if a person present was known to dislike the smell of tobacco. *Ibid.* 24 May 1844, 26 October 1855, 2 November 1855.

<sup>7</sup> *Ibid.* 9 December 1842.

tasting it.”<sup>1</sup> He was also pleased on another occasion to be given peacock; but he had nothing good to say of capercailie which he thought “flavourless and like tough beef”.<sup>2</sup>

As membership of the Family was not lightly given, its meetings were commonly harmonious and happy.<sup>3</sup> But they were not invariably so. Dr Davy, Master of Caius, seems to have got very much on Romilly’s nerves, who describes him on one occasion as being “as tiresome as ever”, and on another as “contradicting everybody on every subject”.<sup>4</sup> Professor Haviland was also much put out when Dr Chafy scolded him at cards, and declared that he had never passed “so disagreeable an evening”;<sup>5</sup> and there was a painful scene when Prest, the owner of Stapleford Lodge, who was dining with the Family as a guest, gave great “offence to the Vice-Chancellor by observing on our smoking, and by interrupting his conversation by loud talking across the table”; but he was punished for his bad manners, for the Vice-Chancellor, being Whewell, severely reprimanded him.<sup>6</sup> But such incidents rarely occurred; and though there were probably always one or two members of the Family whose absence was not much regretted, the fortnightly meetings of the club were generally very pleasant occasions. When the resignation of Whewell was announced at the dinner on 17 May 1844, Professor Haviland remarked, “Well, I pity him.”<sup>7</sup>

Yet, though there is less private entertaining nowadays, there is still a certain amount; but the public festivities of the University are no longer on the scale that they then were. When, for instance, Lord Camden was installed as Chancellor at the Commencement of 1835, there was a veritable orgy of eating, drinking and after-dinner oratory. It began with a dinner in Christ’s on Friday, 3 July, which was attended by the Heads of Houses and the Bishop of Lincoln, Dr Kaye; and the speeches on this occasion seem to have been on a high level, particularly that of the Vice-Chancellor, Dr French, who spoke admirably, “as he always does”.<sup>8</sup> On the following day there was a *déjeuner* in the grounds of Downing, which was followed by an amateur performance of *Henry IV* and another play; and although the acting was

<sup>1</sup> Diary of J. Romilly, 6 March 1846.

<sup>2</sup> *Ibid.* 24 February 1843.

<sup>3</sup> “Dined at the Family at Dr Haviland’s. . . . Proposed Thompson as a new member: unanimously approved: next meeting he will be elected”—*Ibid.* 10 November 1848.

<sup>4</sup> *Ibid.* 30 October 1835, 13 May 1836.

<sup>5</sup> *Ibid.* 9 December 1836.

<sup>6</sup> *Ibid.* 9 December 1842.

<sup>7</sup> *Ibid.* 17 May 1844.

<sup>8</sup> *Ibid.* 3 July 1835.



on the whole poor, and the female parts were taken by men, the enjoyment of the guests was not to be marred, and some of them stayed until after midnight. About a quarter to six that evening Lord Camden arrived at the Great Gate of Trinity. He was met in the middle of the Court by the Master and Seniors, who escorted him to the Lodge, where he was staying. Half an hour later, the Vice-Chancellor and Heads of Houses, preceded by the three Esquire Bedells, arrived at Trinity Lodge, for his installation. This ceremony, which did not take long, was performed in the large Drawing Room of the Lodge;<sup>1</sup> and when it was over, the Bedells withdrew, and the rest of the company, thirty-three in number, sat down to a dinner which was described as magnificent.

The next day, being Sunday, the Chancellor attended both the morning and afternoon service at Great St Mary's, and the evening service in Trinity chapel, where he sat under a canopy of state. And, though it was Sunday, there was a banquet in Magdalene, at which Prince George of Cambridge and other distinguished persons were present; and after there had been "much speechifying, especially from Lord Mahon",<sup>2</sup> Prince George and many of the other guests went to the evening service in Trinity.

The Chancellor was up betimes the following morning to hold a levée at Trinity Lodge, which was largely attended; but probably many of those who came to pay him homage, would have preferred to be witnessing the state entry of the Duke of Wellington, who arrived that morning from Bourn, where he had been staying with Lord de la Warr. The Duke was received with royal honours. He was met at Trumpington by a cavalcade of five hundred horsemen, and his approach to Cambridge was heralded by the firing of cannon. When he reached the town, the mob took the horses out of his carriage, and dragged it along the streets and across the Trinity Great Court to the Master's Lodge. Shortly after he arrived, he and several other distinguished visitors were admitted by the Chancellor in the Senate House to honorary degrees; and on coming forward to receive his degree, he was received "with a round of applause and re-iterated shouts, which seemed absolutely interminable".<sup>3</sup> But owing to the

<sup>1</sup> "The usual ceremonies were gone through very rapidly, viz. of the Vice-Chancellor presenting to the Chancellor the seals of office and the gold cup (given by Duke of Buckingham) which travels from Vice-Chancellor to Vice-Chancellor"—Diary of J. Romilly, 4 July 1835.

<sup>2</sup> *Ibid.* 5 July 1835.

<sup>3</sup> *Ibid.* 6 July 1835.

verbosity of the Public Orator, who was delivering eulogies on the recipients of degrees for well over two hours, the ceremony in the Senate seemed almost as interminable as the applause of the Duke; and though the proceedings had begun at noon, it was not until half-past four that the Chancellor was able to depart for a *déjeuner* in the garden of Sidney Sussex. This was a very resplendent affair, for the Master of Sidney, Dr Chafy, though of a parsimonious tendency, was always very lavish in his entertainments. We hear that "the preparations for eating and drinking were most profuse",<sup>1</sup> which was just as well, as the guests numbered more than eight hundred; and when night fell, the garden was lit up for a dance which continued until nearly midnight. But the Chancellor and many of the other guests had left early, in order to attend the Vice-Chancellor's dinner in Jesus. That too was very magnificent. The services of Hudson, the Trinity cook, had been enlisted, and dinner was announced to the guests assembled in the Master's garden by the firing of cannon from the roof of the chapel. There was the usual flood of oratory. The Archbishop of Canterbury made a miserable, stammering speech; and as the Duke of Wellington had lost several of his teeth, his style, which is described as manly and forcible, was better than his articulation. Prince George, who also spoke, was given a kind reception. He was then only a boy of sixteen, and returned thanks for the drinking of his health in "good, simple, school-boy English". "I am much obliged," he said. "I shall try to behave so as to deserve some of the praise you have been good enough to bestow on me."<sup>2</sup> Another royal Prince who was present, the Duke of Cumberland, was less happy. He had arrived that afternoon, though, as he was very unpopular, nobody had wanted him to come, and both Lord Camden and the Duke of Wellington had done their best to keep him away. His speech, though clever, was not approved: he dwelt, as usual, upon his affection for the Church of England, and Cumberland's professions of religion were always nauseating to every right-thinking man.

On the morning of the next day, Tuesday, 7 July, Lord Camden again went in state to the Senate House to preside over the creation of doctors, which was a Commencement ceremony,<sup>3</sup> and to hear the

<sup>1</sup> Diary of J. Romilly, 6 July 1835.

<sup>2</sup> *Ibid.* 6 July 1835.

<sup>3</sup> Masters of Arts were also created at Commencement, but in order to shorten the proceedings in the Senate House, they were created on this occasion by special Grace in the Law School. Diary of J. Romilly, 7 July 1835.

installation ode and the recitation of the prize poems. The Senate House was most uncomfortably crowded, and the proceedings were both lengthy and tedious. Consequently the spectators became impatient, and the undergraduates in the galleries amused themselves by giving groans for the Whig ministers and cheers for Queen Adelaide and Sir Robert Peel. On the same day a dinner, to which four hundred persons sat down, was given in the hall of Trinity, while an overflow of forty or so dined in the Combination Room. There was an abundance of turtle and venison, and two hundred and eighty waiters; and though there was no champagne, the supply of other wines was very liberal. Much admiration was aroused by models in paste of Edward III, Henry VIII, the Great Court fountain and the Observatory, which had been executed by one of Hudson's pupils. But unfortunately all were agreed that the Master ruined the evening by the excessive length of his speeches.

"It is impossible", wrote Romilly, "to imagine anything more insufferably tedious than the speeches of our Master. He prefaced even the first toast (the King) with reasons (half-an-hour long), first our being a royal foundation, secondly, general decency, etc., etc.: he served every toast in the same way, till one was fairly tired to death: we all suffered prodigiously, and poor Peacock, I thought, would have gone mad with vexation if he had not eased himself by railing aloud in no measured terms against our Master's absurdity. The plague was that the subjects of the toasts thought themselves obliged to be as dull and prosy in returning thanks."<sup>1</sup>

On the next morning Prince George laid the foundation stone of the new Master's Lodge of Magdalene, and the Chancellor went to the Pitt Press "to take off an impression of the first two sheets of the Quarto Bible to be printed on velvet for the King: the first half sheet was worked off by Lord Camden (Chancellor) and Duke of Northumberland (High Steward); the second by the Duke of Cumberland and Prince George of Cambridge; the third by the Archbishop of Canterbury and Duke of Wellington; the fourth by the Earl of Hardwicke (Lord Lieutenant) and the Vice-Chancellor".<sup>2</sup> The rest of the day was

<sup>1</sup> Diary of J. Romilly, 7 July 1835. There was a dinner in Corpus on the same day, and a dinner at Trinity Hall for "a mixt company of ladies and gentlemen", which was repeated on the following day.

<sup>2</sup> Diary of J. Romilly, 8 July 1835. "In this Bible", adds Romilly, "is introduced for the first time a new mechanical process by Parker for introducing red lines which used formerly to be ruled by hand." For an account of this Bible, see S. C. Roberts, *A History of the University Press* (1921), pp. 136-137. John William Parker had been appointed Superintendent of the Press in 1829.

given over to festivities. There was another *déjeuner* in the grounds of Downing, followed by dancing which continued until a late hour, and a dinner at St John's for three hundred persons, which was served in a large marquee. The Johnians did not count the cost. They trumped the hospitality of Trinity by providing champagne, and the dessert was considered to be particularly sumptuous. Nor were the speeches too many or too lengthy, though the poor Archbishop again acquitted himself badly, and the Duke of Northumberland was below his form, having been abashed by the reading of an extract from the college records, detailing his examination successes when an undergraduate at St John's. When the dinner and the speeches were over, some of the party joined the dancers at Downing, but the Chancellor, the Duke of Wellington and other distinguished persons attended the Commencement Ball in the Town Hall.

There was still another day of junketing. On the afternoon of Thursday, 9 July, a *déjeuner* was served in the Cloister Court of Trinity, and though there was a charge for admission, it was attended by nearly two thousand persons. The Trinity cook was considered to have surpassed himself, so great was the abundance of pineapples and grapes, and so pretty the maids who handed them round. Then followed dancing and a display of fireworks, and as the evening wore on, some of the party became slightly uproarious, for the champagne had not been spared.<sup>1</sup> But long before the fireworks and the dancing, the Chancellor had left to attend a dinner in King's, which was provided "by Gunter at the rate of three guineas a head".<sup>2</sup> The food and drink may have been worth that sum, but the service was abominable. "A dinner worse waited upon", declared Romilly, "I never witnessed: without bawling and beckoning it was impossible to get anything but what was immediately before you."<sup>3</sup> But the cloud had a silver lining: the speeches took up far less time than usual, the Provost giving "each successive toast without a word of accompaniment".<sup>4</sup>

This was the last of the festivities, and on the following day Lord Camden, looking remarkably well and fresh, left Cambridge after calling at all the colleges to say farewell. As he was seventy-six years

<sup>1</sup> Ninety dozen bottles were drunk. Romilly was much disgusted during the firework display by seeing some roisterers encircling the Duke of Cumberland, "and raising a shout for the monster". Diary of J. Romilly, 9 July 1835.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> The above account is based upon Romilly's Diary. C. H. Cooper, *Annals*, vol. iv, pp. 591-595, and H. Gunning, *Reminiscences* (1854), vol. II, p. 370.

old, the ease with which he had apparently endured the strain of these arduous days is remarkable; but few, even in those heroic times, can have been similarly blessed with a digestion which never failed to respond to the call of duty; and many must have been thankful that the University only rarely had occasion to indulge in celebrations on such a scale. But the fiddles were not always playing and the lights burning; and a resident Fellow was apt to find as he grew older that life in college was very far from being all that he had thought it would be, when as a young man he had gained his fellowship. When in October 1853 Adam Sedgwick, as Vice-Master, admitted the newly elected Trinity Fellows, he warned them "against imitating his example, and retaining their fellowships to old age".<sup>1</sup> He doubtless was feeling lonely, for, as Whewell had told a friend many years before, one of the great curses of Cambridge was that "all the men whom you love and admire, all of any activity of mind, after staying here long enough to teach you to regret them, go abroad into the world, and are lost to you for ever."<sup>2</sup> It could hardly be otherwise, for there was little to tempt a man of vigorous intellect to pass the whole of his life within the walls of a college, unless he was attracted by the opportunity of study and research, or had a reasonable chance of becoming a Tutor or Bursar. Two fellows of Trinity declared in 1840 that "if the whole society were now in residence, three-fourths of the body would be unemployed, or busy only in private and for themselves";<sup>3</sup> and as a taste for study is not as common in a University as it is generally supposed to be, it is not surprising that many of the Fellows preferred an active life in the greater world to an idle existence at Cambridge. But many of those who remained were by the middle of the century more fully recognising the claims of scholarship upon their time and energy than had formerly been the case; and though Leslie Stephen, after leaving Cambridge in 1864, informed the world that it was possible in the University to be both idle and respectable, by pretending to be engaged in writing a profound work, the sneer was not as deserved as it would have been half a century earlier.<sup>4</sup> "We need not go far back", wrote Westlake in 1857, "for residence without pretence of study,

<sup>1</sup> Diary of J. Romilly, 11 October 1853.

<sup>2</sup> Mrs Stair Douglas, *Life of William Whewell* (1881), p. 24.

<sup>3</sup> *An Earnest Appeal to the Master and Seniors of Trinity College, Cambridge, on the Revision of the Statutes: By two of the Fellows* (1840).

<sup>4</sup> Leslie Stephen, *Sketches from Cambridge* (1932), p. 4.

Seniors without gravity, and clergymen without clerical occupation."<sup>1</sup>

Yet much of the eighteenth-century atmosphere still lingered. Enthusiasm was not encouraged. Though a large number of the Fellows were in Holy Orders, Cambridge remained almost wholly untouched by the Oxford Movement. There were a few "Puseyites", such as Dr Mill and the unfortunate Proctor, George Williams; but Mill acted wisely if, as is said, he was careful not to express "his opinions very freely or openly".<sup>2</sup> According to a Fellow of Trinity the "average Dons . . . were not High Church or Low Church, Broad Church or Narrow Church, . . . but easily accepted the current opinions of the time. Enthusiasm was not in them. They wanted to go in the old ruts."<sup>3</sup> But, though this may be as true as most generalisations, the Evangelicals continued to carry on the work which Simeon had begun, and had a greater hold on the University than any other party in the English Church. Some of them certainly did harm by their fanaticism, as, for instance, Charles Clayton, Tutor of Caius, who preached a sermon against the Bachelors' Ball, in which he said that the murderer, Palmer, had become "desperately wicked and altogether reckless from seeing six clergymen at a Ball";<sup>4</sup> and another evangelical clergyman, William Carus, Vicar of Holy Trinity, surprised some of his friends by converting the pulpit covering of his church into an overcoat.<sup>5</sup> But with all their bigotry and absurdities, the Evangelicals earned respect by their zeal and devotion. They reasonably objected to the practice, which continued into the nineteenth century, of not postponing the election of University officials and the Caput, and the admission of Bachelors of Divinity to their degrees, when the day appointed for these ceremonies fell on a Sunday; and it was due to their efforts that an Act of Parliament was passed in 1833 which authorised the University to make the

<sup>1</sup> John Westlake, *On the Tenure of Fellowships* (1857).

<sup>2</sup> MS. Diary of F. H. Bowring.

<sup>3</sup> *Ibid.*

<sup>4</sup> C. Clayton, *Sermon preached in Trinity Church*, 1 February 1857; Diary of J. Romilly, 1 February 1857.

"I dreamed we both were waiting in the Hall  
Serving refreshments at the Bachelors' Ball.  
There, gayest trifler in the throng of dancers,  
Was Clayton cutting figures in the Lancers."

Sir G. O. Trevelyan, *The Cambridge Dionysia*.

<sup>5</sup> Diary of J. Romilly, 15 April 1842.

change.<sup>1</sup> But a less favourable example of their activities is a memorial presented by several of the parochial clergy to Whewell, shortly after he had become Vice-Chancellor in 1842, "complaining of a club of undergraduates called 'the Union', which kept their newsroom open on Sundays". The Sabbatarians, however, got their way, and the officers of the Union were informed "that it was the wish of the Heads that this practice should be discontinued".<sup>2</sup>

Such a regard for the observance of Sunday may possibly surprise the present generation, but they may be even more surprised to learn that not so very long ago Fellows of colleges were subjected to a discipline, which nowadays would be regarded as derogatory to their dignity and encroaching on their legitimate freedom. In 1849 John Tozer, a senior Fellow of Caius, appealed to Prince Albert as Chancellor to order certain changes in college procedure; and though he acted incorrectly, as an appeal to the Chancellor was only statutory in the case of serious misconduct by the Master, he certainly did not deserve to be "summoned before a special college meeting, solemnly reprov'd, and reminded that he had incurred the penalty of expulsion". He was forgiven, but only on the condition that he humbly apologised.<sup>3</sup> Also, a present-day Fellow of Trinity may be surprised to learn that his predecessors were not permitted by Whewell to possess private keys to the college<sup>4</sup>, and were expected to conform to the code of manners approved

<sup>1</sup> A pamphlet appeared in 1823 entitled "An address to the Senate of the University of Cambridge relating to certain Academic Proceedings which occasionally take place therein on the Lord's Day"; and in response to this appeal a syndicate was appointed to consider "whether the University business, which now occasionally takes place on a Sunday, can conveniently be deferred to the next day". The syndicate reported on 27 April 1824 that they had consulted Counsel who had advised them that the University had not the power to change by Grace dates fixed by statute. For the Act of Parliament, which allowed the change to be made, see L. L. Shadwell, *Enactments in Parliament* (1912), vol. III, pp. 22-23, and for the report of the syndicate, 27 April 1824, see University Papers, University Library, A.C. 201.

<sup>2</sup> Vice-Chancellor's Book 1842-1843, Whewell Papers.

<sup>3</sup> J. Venn, *Biographical History of Gonville and Caius College* (1901), vol. III, p. 138.

<sup>4</sup> "When the meeting was over, the Master called me aside, and asked me if I made any use of my garden key, as he had scruples about allowing private keys. I told him that I only used it when coals came in, and that I had no objection to sending it to him, so I tied one of my cards round it, and left it at his Lodge. The vacancy of John Brown's rooms has doubtless put this not unnatural scruple about private keys into his head"—Diary of J. Romilly, 24 September 1850. Romilly had the set on G, Great Court, which is now divided between the two Bursars, and the greater part of the garden is now covered by the cycle shed. J. Brown had the set now occupied by Professor Broad, E 4, Great Court, and for the garden attached to it, see Willis and Clark, *Architectural History of the University of Cambridge*, vol. II, p. 498, note.

by the Masters and Seniors. By an old custom of the college smoking was allowed in the Combination Rooms on the two Feasts of All Saints and the Purification, during the Twelve Days, and sometimes on 5 November; and the privilege was much valued. Whewell, however, objected to the practice as indecorous and subversive of undergraduate discipline; and in December 1846 set out his views in a lengthy letter to the Seniors.<sup>1</sup> He did not make the legitimate point of the reprehensibility of sacrificing good wine to tobacco; but took objection to smoking as an ungentlemanly habit, which did not prevail in any Cambridge Combination Room, or, at least; not in any respectable one. And what was a greater absurdity, he asked, than to decorate the Combination Rooms with "elegance and splendour", hanging them with "figured satin", as had been recently done, and "then to make them smoking rooms". Also the fact that Fellow Commoners had access to these apartments weighed much with him.

The mixture which takes place in our Combination Rooms of graduates and undergraduates makes such a practice very inconsistent with our positions and with good discipline. Smoking cannot be allowed publicly. If it was, the college would soon be... degraded in manners. When officers and pupils join in the Combination Rooms in a practice which is publicly forbidden, the effect upon the pupils is often, I conceive, an impression that the officers have themselves no value for the rules which they enforce.

He admitted that the privilege was ancient, but he contended that it had not been so detrimental to discipline before cigar smoking became common. "When pipes only were used, it was an old-fashioned, old man's practice, now it is a young man's practice."<sup>2</sup>

The replies which Whewell received from four of the Seniors have been preserved. Francis Martin and William Carus warmly approved the proposal, and though R. W. Rothman was more reserved, remarking that "as it is an old practice, I should like to know, before giving an opinion on its abrogation, the feelings of the Fellows in general on the point", he nevertheless pledged himself "if the measure is not disagreeable to the society, . . . to support it". But Adam Sedgwick was very emphatic in his opposition.

"I do not see", he wrote, "the expediency of legislating, nor do I admit the probability of any bad results from the continuance of an old custom. If any

<sup>1</sup> Whewell's Journal, 8 December 1846, Whewell Papers.

<sup>2</sup> It is clear that Whewell wished to prohibit smoking in the Small as well as in the Large Combination Room.



abuses have arisen, (such as walking about the Court with cigars after the breaking up of an evening party), it might be stopped by a single word. For many years I have been away at Christmas, and really know nothing of modern practice. Cigars are certainly a modern introduction. But in what respects worse than pipes (except the facility of being taken out) I do not see. The oldest dinner club in the University ('The Family') smokes, and one half the members are Heads.<sup>1</sup> I will try to explain myself more fully, if you have time to hear me, when the Seniority breaks up this morning."<sup>2</sup>

Whewell submitted his proposal to a meeting of Seniors on 10 December, and doubtless argued for it warmly; but he was not completely successful. It seems that a majority of the Seniors did not wish to encroach upon the enjoyment of those Fellows who made habit of passing the Christmas season in college, for the Conclusion runs: "Agreed by the Master and Seniors that the Combination Room man be forbidden to supply tobacco (in any other form than snuff) to any person in the rooms, and that he be directed to state, if necessary, to persons there, that smoking is not allowed in those rooms except during the 'Twelve Days' after Christmas Day." But the confirmed smokers were probably more aggrieved by what had been lost than consoled by what had been saved, particularly if an addiction to tobacco was not their only weakness; for the Seniority also resolved "that card playing be not permitted in the Combination Room after supper".<sup>3</sup>

In his *Historical Account of the University of Cambridge and its Colleges*, B. D. Walsh, a Fellow of Trinity, remarks of his own college that the Tutors "are the most important, powerful and well paid functionaries amongst us";<sup>4</sup> and he could have said much the same of all the other colleges, except that as the remuneration of a Tutor depended upon the Tuition fees that he received, and therefore upon the number of undergraduates in residence, it was considerably less in the smaller than in the larger colleges.<sup>5</sup> But the Tutor was always influential, for the prosperity of the college was to a great extent in his keeping. He was primarily a teacher, and could hope, if successful as a lecturer, to raise the intellectual reputation of his college. The way also in which he

<sup>1</sup> Whewell had resigned his membership of "The Family" only two years before.

<sup>2</sup> These replies are among the Whewell Papers.

<sup>3</sup> Trinity College Conclusion Book, 10 December 1846. Scandal had been caused by very late card parties in the Combination Room.

<sup>4</sup> B. D. Walsh, *A Historical Account of the University of Cambridge and its Colleges* (1837).

<sup>5</sup> A. H. Wratislaw, *Observations on the Cambridge System* (1850).

discharged his duty of acting *in loco parentis* to his pupils would not pass unnoticed by them or by their parents, and if he acquired a name for treating young men sympathetically, he might benefit his college by increasing its numbers. He had also financial duties. As the custodian of the caution money deposited by his pupils, and the recipient of their tuition fees, he was held responsible for the payment of their college bills; and, moreover, tradesmen of the town, if they were approved by him and supplied necessaries, were entitled to receive through him payment of the debts which his pupils had contracted with them. These college tradesmen, as they were styled, must have provided much tiresome clerical labour, but the practice was considered desirable: it enabled the Tutors to keep an eye on the expenditure of undergraduates and the charges of tradesmen, and the advantage was not onesided, as the Tutors were accustomed to recommend their pupils to deal with the college tradesmen.<sup>1</sup>

They must have varied considerably in the discharge of their duties. Some Tutors adopted an Olympian manner towards their pupils, thus widening the gulf between age and youth, and some were bored by them. And sometimes a Tutor, though abounding in good-will and good intentions, made mountains out of molehills or was incapable as a lecturer: Thomas Thorp of Trinity, for instance, was wont to complain that he was so busy, as hardly to have "time for the calls of nature", and another Trinity Tutor, J. M. Heath, was far too deaf to hear any question addressed to him, which considerably detracted from his value as a lecturer.<sup>2</sup> Nor was the oft repeated charge of undue delay on the part of Tutors in the payments of the college tradesmen's bills probably without foundation, though doubtless much exaggerated. But when allowance is made for the change in the conception of the office which has taken place during the last fifty years or so, most of the Tutors of the nineteenth century seem to have conscientiously discharged their duties, and not infrequently to have gained the affection of their pupils. When John Lodge of Magdalene ceased to be a Tutor in 1836, the undergraduates of his college presented him with a candelabrum which was reported to have cost one hundred and eighty guineas;<sup>3</sup> and an American, William Everett, who had been an undergraduate at Trinity,

<sup>1</sup> Brown, a tailor of the town, complained to Romilly that the "Trinity Tutors do not appreciate his professional merits, as only six freshmen were sent him last October"—Diary of J. Romilly, 12 October 1852.

<sup>2</sup> MS. Diary of F. H. Bowring.

<sup>3</sup> Diary of J. Romilly, 29 April 1836.

was much impressed by the "liberal, fatherly attention" of the Cambridge Tutors.<sup>1</sup>

But the system, as then organised, had one serious defect. There was nearly always an insufficient number of Tutors and Assistant Tutors for the teaching needs of the college; and therefore little could be done, even in the larger colleges, in the way of classifying undergraduates for lectures in accordance with their ability and stage of intellectual progress. As a general rule they only attended the lectures of their Tutor and of his assistants: "the education of the college", wrote a Fellow of St John's in 1857, "is at present carried on by two distinct sets of Tutors, working almost as independently of each other as if they belonged to two different colleges".<sup>2</sup>

Partly, but not entirely, on account of the inadequacy of the college teaching, the undergraduates flocked to private tutors. This was no new phenomenon. As long ago as the last quarter of the eighteenth century, private tutoring, owing to the increasing difficulty of the examination for the degree of Bachelor of Arts, began to be a profitable business, much to the disgust of college Tutors, who were fearful of succumbing to competition and suffering the same fate as they had assisted to bring upon the Professors. The attempt to check the evil by legislation was quite ineffective. A Grace passed in 1781, which excluded from honours those who had employed the services of a private tutor within two years of sitting for the Senate House Examination, was found impossible to enforce;<sup>3</sup> and although in the years 1807, 1815 and 1824 further Graces were passed, which successively reduced the period, within which a candidate for honours was prohibited from having a private tutor, to a year and a half, then a year, and finally six months, this strategic retreat did not affect the fortunes of the battle. The University acknowledged defeat by never enforcing the Grace passed in 1824.<sup>4</sup>

Consequently the private tutors loomed larger and larger, and threatened to become almost the dominant feature in the academic landscape.<sup>5</sup> But there was much variety in the character and value of

<sup>1</sup> William Evrett, *On the Cam* (1866), p. 59.

<sup>2</sup> H. J. Roby, *Of the Government and Tuition* (1857). This pamphlet was addressed to the Master and Fellows of St John's.

<sup>3</sup> D. A. Winstanley, *Unreformed Cambridge* (1935), p. 333.

<sup>4</sup> *Ibid.* pp. 332-333.

<sup>5</sup> George Pryme says that in his undergraduate days "the system of private tuition had not... become common". G. Pryme, *Autobiographic Recollections* (1870), p. 48.

their instruction. Among them were mere hacks, who specialised in cramming for the ordinary degree examination. These "coaches", as they were called to distinguish them from private tutors of a better type, were generally men who had not taken honours themselves;<sup>1</sup> and their influence was almost invariably bad, for their mode of education was to give examination tips, which might enable a degree to be obtained with the minimum of work and intellectual effort. But it is only fair to remember that they worked under difficulties, as their pupils rarely came to them until a few weeks before the examination, and, almost invariably, totally unprepared for it.

The private tutors, to whom candidates for mathematical and classical honours resorted, were of a very different and much higher order. Some of them were distinguished scholars, and nearly all of them gave instruction which was a valuable intellectual training and of lasting benefit. Of a renowned classical scholar engaged in private tuition, W. H. Thompson remarked that he would regret if his pupils were deprived of the services of "so eminent a teacher";<sup>2</sup> and Whewell described the private tutors for honours examinations as "able, learned and estimable men".<sup>3</sup> For many years all undergraduates, who were candidates for high mathematical honours, clamoured for the teaching of William Hopkins of Peterhouse; and they certainly could reasonably believe that Hopkins possessed the secret of success. In 1849, when he had been engaged in private tuition for twenty years, he claimed to have had among his pupils one hundred and seventy-five Wranglers, of whom one hundred and eight had been in the first ten, forty-four in the first three, and seventeen had been Senior Wranglers;<sup>4</sup> and in 1854 seven of the first nine Wranglers, including the first three, were his pupils.<sup>5</sup> His successes were indeed so numerous and habitual that when in one year his highest man was only eighth Wrangler, his servant, according to report, remarked "Master ain't placed this year".<sup>6</sup> But as he grew old his powers as a teacher declined, and Parkinson of St John's and Routh of Peterhouse became formidable rivals. Richard Shilleto, who was considered the greatest Greek scholar in England since Gaisford, was engaged for thirty years in private tuition, and could boast of a wonderful record of successes in the Classical Tripos.

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, pp. 165-166

<sup>2</sup> *Ibid.* p. 198.

<sup>3</sup> W. Whewell, *Of a Liberal Education*.

<sup>4</sup> H. Gunning, *Reminiscences* (1854), vol. II, p. 359.

<sup>5</sup> *Diary of J. Romilly*, 30 January 1854.

<sup>6</sup> *Ibid.* 30 January 1854.

He instructed his pupils singly and worked hard: in 1859 he was taking eleven men for an hour each on Mondays, Wednesdays and Fridays, and twelve on Tuesdays, Thursdays and Saturdays.<sup>1</sup>

Owing to the increasing demand for their services, private tutors raised their fees; and by the middle of the nineteenth century undergraduates were paying £14 a term if taken singly for an hour on six days of the week, and half that amount if taken for three hours weekly.<sup>2</sup> But a private tutor of great reputation was able to charge as much as £20 for whole-time instruction; and at one time Fellows of Trinity, when they took private pupils, received the same sum.<sup>3</sup> But the sheep were too hungry to be deterred by the cost of the sustenance. A Tutor of Christ's expressed the opinion that at least "three-fourths of the candidates for honours engage private tutors during the greater portion of their period of residence, and that five-sixths of the candidates for ordinary degrees engaged private tutors during the terms immediately preceding the Previous and degree examinations";<sup>4</sup> and other Tutors were in substantial agreement with him. But none of them were prepared to say that private tuition was an entirely dispensable luxury. They almost universally disapproved the poll coach, and rightly believed that he encouraged idlers to put off the evil day when they would have to do a little work; but they generally admitted that most candidates for honours required private tuition, as the colleges could not provide sufficient instruction for them. They were, however, uneasy. The college system had many critics, even inside Cambridge; and William Hopkins's boast that the "effective mathematical teaching" was completely in the hands of the private tutors was certainly disturbing.<sup>5</sup> Parents, moreover, were becoming restless at the increasing cost of a University education. James Hildyard, a former Fellow and Tutor of Christ's, informed the Royal Commissioners that his "expenses. . . as an undergraduate from 1829 to 1833 for a private tutor in mathematics alone (and many students have private tutors in both classics and mathematics) were £72 per

<sup>1</sup> Diary of J. Romilly, 18 July 1859.

<sup>2</sup> *University Commission Report (1852)*, Correspondence and Evidence, pp. 142-217. C. Merivale, a former Fellow of St John's, informed the Commissioners that formerly the full fee was £10, not £14. *Ibid.* p. 174.

<sup>3</sup> *University Commission Report (1852)*, pp. 160, 187.

<sup>4</sup> *Ibid.* Correspondence and Evidence, p. 162.

<sup>5</sup> W. Hopkins, *Remarks on the Mathematical Teaching of the University of Cambridge*. This pamphlet is undated, but H. J. Roby refers to it in his *Remarks on College Reform* as having been published "if I remember right, early in 1854".

annum, inclusive of the Long Vacation, for which I three times over paid £30";<sup>1</sup> and much about the same time as Hildyard was an undergraduate, George Peacock, then a Tutor of Trinity, calculated that the sum of ten thousand pounds was yearly paid by Trinity men alone for private tuition.<sup>2</sup> Parents had therefore a legitimate grievance, but as long as it was left to the colleges and University to remedy it, there was little hope of effective measures being adopted. Prohibition by Grace or otherwise could not possibly be successful, as private tuition was practically a necessity, and the only way of effectively discouraging it was by reorganising and strengthening the teaching staffs of the colleges. The need for this reform was generally recognised,<sup>3</sup> but few expected it to be achieved.

The problem of private tuition has now been reduced to infinitesimal proportions, and in other respects also university life has undergone great changes in the course of a hundred years. Some of these changes, however, are apt to be exaggerated or, at least, misunderstood. It is true that it is now much easier than formerly for a clever, needy boy to obtain a Cambridge education, and that, consequently, nearly all classes of society are represented among undergraduates; and it is equally true that in the past even liberal-minded men had the strongest possible objection to an invasion of the University by "poor beggarly students who ought to be tinkers and tailors".<sup>4</sup> But it is not true that at any time most of the undergraduates were wealthy. It is very likely that not so many of them were obliged to struggle to make both ends meet, and aware that, if they failed to do so, they could not expect any further assistance from their homes; but there were always several who had cause to consider what they could afford, and only a comparatively few who had no financial cares. Nor is it true that the majority of them came from the greater English schools. According to A. H. Wratislaw, a Tutor of Christ's, Trinity was the only college which recruited its undergraduates mainly from the Public Schools. He asserted that the other colleges were filled by the pupils of "commercial and other inferior or even professedly mathematical, schools, . . . or by men almost utterly devoid of the slightest pretence to a pre-

<sup>1</sup> *University Commission Report (1852)*, Correspondence and Evidence, p. 165.

<sup>2</sup> Wordsworth's *R.B. Books*, vol. III, p. 179.

<sup>3</sup> Many of the Tutors and ex-Tutors, who supplied information to the Royal Commissioners, expressed themselves in favour of increasing the teaching staffs of the Colleges.

<sup>4</sup> Diary of J. Romilly, 19 December 1853.

paratory liberal education.<sup>1</sup> . . . Out of a class of *twenty-seven* freshmen attending my own lectures, I believe that not more than six have received a complete Public School education."<sup>2</sup>

But there is, nevertheless, a great social difference between the Cambridge of the present and the past, for the claims of rank and wealth to special privileges were then openly, and even blatantly, acknowledged. Though after 1825 it ceased to be possible for an undergraduate, who had been entered as a nobleman, to proceed to a degree without examination, he was still only required to reside seven terms, and could sit for the Classical Tripos without having obtained mathematical honours.<sup>3</sup> If he attended Great St Mary's, he sat with the Heads of Houses and Professors in the gallery known as Golgotha;<sup>4</sup> and in his own college he enjoyed precedence "over all college authorities, except the highest, in chapel and in hall". "It is," remarked a pamphleteer in 1837, "to say the least, unseemly to see the venerable Head of a noble college cautiously abstaining from leaving the chapel in advance of one stripling among the hundreds possibly committed to his charge."<sup>5</sup> Moreover, neither noblemen nor Fellow Commoners were generally required to attend as many chapel services as other undergraduates; and in Great St Mary's the Fellow Commoners sat with the Masters of Arts.<sup>6</sup> It is therefore not surprising that these pampered patricians and plutocrats were much aggrieved when on 16 February 1836 the Master and Seniors of Trinity imposed a fine of half-a-crown upon "all persons

<sup>1</sup> Wratishaw presumably overlooked King's College.

<sup>2</sup> A. H. Wratishaw, *Observations on the Cambridge System* (1850). He further asserted that not a third of the undergraduates came from Public Schools, and not a third of the boys in Public Schools came to the University.

<sup>3</sup> Grace Paper, 3 March 1828, University Papers, University Library, A.C. 206.

<sup>4</sup> "Visit in my office from Hopkins (Esquire Bedell): he wanted to learn what persons, who had taken honorary degrees, were entitled to sit in Golgotha: he thought Lord Arthur Hervey was. I gave my judgment against him, and laid down as the law that younger sons of noblemen were not entitled *unless they had been entered as noblemen*: it is most rare for them to be so entered: but the late Dean of Windsor (the Hon. George Neville), though a younger son, wore a nobleman's gown as an undergraduate and was therefore always entitled to a seat in Golgotha among the noblemen, whereas the present Master (the Hon. Latimer Neville), not having been entered as a nobleman, is not entitled to sit on the nobleman's seat in Golgotha"—Diary of J. Romilly, 3 December 1855.

<sup>5</sup> *Fellow Commoners and Honorary Degrees by a Resident Fellow* (1837). According to Mrs Brookfield, the author of this pamphlet was Henry Lushington, a Fellow of Trinity. F. M. Brookfield, *The Cambridge Apostles* (1906).

<sup>6</sup> *Gradus ad Cantabrigiam* (1824).

*in statu pupillari*, who are seen walking on the grass-plots",<sup>1</sup> thus depriving them of a privilege which they had enjoyed from time immemorial. It was, however, in vain that, pleading their ancient right, they petitioned to be exempted from this regulation:<sup>2</sup> college lawns are very sacred, and the Trinity Seniors were sufficiently daring to sacrifice even the aristocracy to them.

At one time noblemen and Fellow Commoners had been comparatively numerous;<sup>3</sup> and it was calculated in 1837 that at Trinity they were ten per cent of the yearly admissions.<sup>4</sup> But fifteen or so years later a shrinkage in their number was very noticeable. In November 1854 only one nobleman and ten Fellow Commoners were matriculated, and in November 1852 only five Fellow Commoners: "the race of Fellow Commoners", remarked Romilly, "is nearly extinguished".<sup>5</sup> It was not a matter for regret. Though a few of these gilded youths, according to the University Commissioners, did not disdain "to adorn a noble lineage with the graceful addition of academic honours",<sup>6</sup> many of them did not trouble to take degrees, wasted their time and money, and set a bad example to the other undergraduates. And probably the many stories that are told of the flattery to which they were subjected by tuft-hunting Fellows and Tutors are not without some foundation.

The Sizars, who were at the other extremity of the social hierarchy, call for little notice, as many of the characteristics, which had formerly distinguished them, had disappeared or were disappearing. It was ceasing to be fashionable to hold them in contempt on account of their poverty, and they were no longer required to perform menial duties. Though at Trinity as late as 1840 they were still dining off the remains of the High Table dinner, they may have fared as well, and perhaps better, than the other undergraduates, as they were usually provided with fresh vegetables, and, not infrequently, with fresh tarts and puddings.<sup>7</sup>

<sup>1</sup> Trinity College Conclusion Book. On 1 November 1820 the Master and Seniors had agreed that "no person *in statu pupillari*, with the exception of those who sit at the Vice-Master's and Dean's tables, be allowed to walk over the grass plots of the college"—*ibid.*

<sup>2</sup> *Ibid.* 26 April 1836.

<sup>3</sup> If an undergraduate, entitled to be entered as a nobleman, was entered as a Fellow Commoner or Pensioner, he did not count as a nobleman for academic purposes.

<sup>4</sup> *Fellow Commoners and Honorary Degrees by a resident Fellow* (1837).

<sup>5</sup> Diary of J. Romilly, 13 November 1852, 13 November 1854.

<sup>6</sup> *University Commission Report* (1852), p. 29.

<sup>7</sup> C. A. Bristed, *Five Years in an English University* (3rd edition, 1873), p. 28.



And though they could not afford to play a part in the general social life of the college, it is unlikely that they wished to do so: they had come to the University to work, and were quite content with the society of other reading men. They suffered hardships, but for the most part made little of them, for they had been trained in the strenuous school of financial adversity, and found consolation in honest work and in the hope of the reward of a fellowship.

Between these two extremes lay the great mass of undergraduates, young men of moderate means, who had their way to make in the world. They began residence at about the same age as their successors of to-day, and bear a closer resemblance to them than to their predecessors of the eighteenth century. They were becoming increasingly addicted to fresh air and healthy exercise,<sup>1</sup> and in many other respects had the same outlook and led the same sort of lives as present-day undergraduates. But their world was far from being quite the same. Many more of them were candidates for Holy Orders: about a third of the Trinity undergraduates were ultimately ordained,<sup>2</sup> and although in the eighteenth century the proportion was much higher, it is nowadays very much less. And there was more idleness and gross ignorance. The poll man of the present day can be generally trusted to resist the temptation of allowing his studies to encroach upon his leisure; but as his college is apt to require him to go out of residence if he fails to pass his examinations, he is obliged to work harder than his predecessor of a hundred years ago. And as before he enters the University he has to pass both the Previous and a college examination, he can hardly start upon his Cambridge career as a complete ignoramus. But during the first half of the nineteenth century it seemed almost impossible to plumb the depths of the ignorance of some of the candidates for an ordinary degree. In 1838 an undergraduate, when asked in the Previous Examination who built the first Temple, answered "Saul";<sup>3</sup> and it was not infrequent for claimants to degrees by noble birth or royal descent to display an almost amazing ignorance of English history. In 1860 a son of Lord Leigh gravely told the Registry that one of his ancestors had been knighted by Henry II on the field of Agincourt, and the heir presumptive to the Earldom of Mar besmirched the character of a

<sup>1</sup> *University Commission Report* (1852), Correspondence and Evidence, p. 142.

<sup>2</sup> From 1831 to 1840, 1239 undergraduates matriculated from Trinity, and of these, 413 were ordained Deacons; from 1853 to 1862, 1388 Trinity undergraduates matriculated and of these 496 were ordained. *Diary of J. Romilly*, 24 December 1862.

<sup>3</sup> *Ibid.* 2 April 1838.

blameless monarch by stating that he was descended from Edward VI.<sup>1</sup> Moreover, when the regulation which compelled poll men to attend professorial lectures was criticised as useless on the ground that they acquitted themselves so badly in the examinations conducted by the Professors, the answer was sometimes made that this proved nothing, as they always disgraced themselves in examinations.

“The knowledge in geology or in modern history, as shewn in their answers”, wrote an anonymous pamphleteer, “is, it may be, often absurd, ridiculous, a fit subject for the caricaturist. Be it so: but have not the translations of such persons from Latin and Greek been for years and every year habitual topics of laughter in the University? Did they understand algebra better than they do understand geology? Is their modern history more absurd than their mechanics; and, when not absurd, more a matter of rote and of mere memory?”<sup>2</sup>

And there has been an improvement in manners. Incidents are recorded which would be startling in the annals of Alsatia. In March 1834 two Trinity undergraduates were expelled the University, after being convicted in the Chancellor’s Court of assaulting their landlady at three o’clock in the morning and holding a razor to her throat;<sup>3</sup> and a few years later another Trinity undergraduate was charged before the Seniority with “assaulting Craufurd, the Scholar, with a life preserver”.<sup>4</sup> And Romilly was once placed in an embarrassing situation as Registrar, though, seemingly, he did not think much of it: “To-day”, he mentions in his diary, “a Queens’ man . . . paid me his fees: he was very drunk (reeling and stammering), and offered me sixpence.”<sup>5</sup>

It is also gratifying to find that the behaviour of undergraduates on public occasions has much improved. Their disorderly conduct in the Senate House was a recurrent and distressing feature of University ceremonies. Not only when political feeling was running high, as at the election of a Chancellor or a Burgess of the University, did they misbehave themselves: the annual admission to the degree of Bachelor of Arts and elections to University offices were frequently disturbed by their shouts and jokes from the galleries. And the shouts were very often exceedingly loud, and the jokes offensively ribald and personal. It was usual to give cheers for leading Tory statesmen and groans for

<sup>1</sup> Diary of J. Romilly, 23 March 1860.

<sup>2</sup> *Considerations respecting the Extension of the University Studies* (undated).

<sup>3</sup> Diary of J. Romilly, 10 and 17 March 1834.

<sup>4</sup> *Ibid.* 16 February 1843.

<sup>5</sup> *Ibid.* 23 January 1846.

the Proctors; and when a member of St Catharine's or a prominent Anglo-Catholic was presented for a degree, the Senate House resounded with mewing. On one occasion a "blackguard youngster", as Romilly rightly calls him, "gave three cheers for the old woman in scarlet", meaning the Vice-Chancellor.<sup>1</sup> The attempts of the Heads to deal with this evil were half-hearted and therefore ineffectual. On 3 February 1818 they issued an order for the exclusion of all persons *in statu pupillari* from the galleries of the Senate House, but revoked it in the following July, on the condition that "no expressions of approbation or disapprobation, or any other violation of decorum, will on any account be suffered".<sup>2</sup> And this condition they clearly failed permanently to enforce. A difficulty in the way was the doubt which existed as to the right of the Vice-Chancellor to exclude persons *in statu pupillari* from the Senate House galleries.<sup>3</sup>

Also pitched battles in the town, which were so common in the eighteenth century, still occurred. "The chief fighting men", we hear, "were at Magdalene and Jesus. . . and their opponents were powerful bargees, with whom they often had a desperate fight, so that the bargees affectionately dubbed Magdalene 'our college'."<sup>4</sup> Then there was the annual Town and Gown fight on 5 November, in which the casualties were sometimes heavy; but the undergraduates were not particular as to the day, and were ready on the slightest pretext to sally forth against the Town.<sup>5</sup> And, as such contests had the sanction of tradition, they were considered almost respectable; but decent opinion both in the Town and University was deeply shocked by the outbreak of brutish disorder during the Parliamentary election of February 1856.

When in the January of that year Henry Goulburn died, after having represented the University in Parliament for nearly a quarter of a century, the two candidates for the vacant seat were Spencer Walpole and George Denman. Walpole was an eminent lawyer, and had been Home Secretary in Lord Derby's short-lived administration; and as

<sup>1</sup> Diary of J. Romilly, 27 April 1836, 18 January 1845, 28 January 1854.

<sup>2</sup> Decree of the Vice-Chancellor and Heads, 6 July 1818, University Papers, University Library, C.H. 21.

<sup>3</sup> After the election of Prince Albert as Chancellor, at which there had been much disorder in the galleries, Whewell drafted a letter to the Vice-Chancellor. "The Vice-Chancellor", he wrote, "ought to have the *undisputed* power of excluding or expelling undergraduates from the galleries at his pleasure. I say 'undisputed' because when the Vice-Chancellor did this in former years, the act produced a schism in the Senate." Whewell's Journal, Whewell Papers.

<sup>4</sup> MS. Diary of F. H. Bowring.

<sup>5</sup> Diary of J. Romilly, 9 March 1846; C. H. Cooper, *Annals*, vol. iv, p. 680.

he was the conservative candidate, his election was considered to be almost certain. But his rival, Denman, was expected to put up a good fight, for his career at Cambridge had been distinguished in more ways than one. He had been Senior Classic and a Fellow of Trinity, but had other and perhaps greater titles to fame: he had been Captain of the Trinity Boat Club, won the Sculls, and had "polished off a college porter at his gate".<sup>1</sup> Thus he was emphatically an all-round man and a popular character.

For the convenience of the non-resident electors, it was arranged that the poll should be open for five days. As the undergraduates were certain to make a disturbance, Whewell, who was Vice-Chancellor, would doubtless have liked to exclude them from the Senate House during the voting, but he decided to give them the opportunity of behaving like gentlemen. The evening voting was, however, to take place in the Schools, to which undergraduates were not admitted.

But Whewell was not long-suffering, and as the undergraduates behaved disgracefully on the first day of voting, Thursday, 7 February, he gave an order that they should be excluded from the Senate House during the remaining days of the election. They were much annoyed, holding that they had a prescriptive right to make themselves a nuisance. On the following day they screeched and howled outside the Senate House, and hooted Whewell when he returned to Trinity at the end of the afternoon; but the serious trouble began a little later. When Romilly went to the Schools that evening, he saw squibs flying in all directions and a crowd of townsmen and undergraduates outside the gate opposite to Great St Mary's, which had been barricaded; but he was not uneasy. "Presently, however," he records, "an infuriate rabble of the scum of Barnwell (mixt up doubtless with undergraduates) burst the barriers, and got to the doors of the Schools (if not into the Schools themselves): they shouted and screamed like so many incarnate devils. The Proctors declared they could do nothing: they had gone to the door and spoken to the men, but they wouldn't . . . stir an inch in the way of retiring." Then an assault from another quarter began. The gate of the King's old building was unbarred by some undergraduates who had scrambled over a wall; and a rabble poured into the Library Quadrangle with the intention of forcing their way into the Schools through the windows. And the sound of breaking glass suggested that they were achieving their purpose.

<sup>1</sup> Diary of J. Romilly, 8 February 1856.

Whewell, who was a courageous man, was not intimidated. Having instructed the members of the Senate present to guard the windows, a duty which some of them were not very willing to discharge, he continued to receive votes until half-past eight, which was the appointed time for the proceedings to end for the day. When he rose to go, he addressed the voters. "I am now going to my Lodge", he said, "and I call upon you to protect your Vice-Chancellor"; and through a scething mass of townsmen and gowmsmen, "howling like wild beasts", he and his escort of members of the Senate threaded their way to Trinity.<sup>1</sup>

It was a disgraceful scene, and would have been repeated the next night if Denman, perceiving from the way that the voting was going that his defeat was certain, had not retired from the contest on the following afternoon.<sup>2</sup> Whewell, consequently, had not to go to the Schools in the evening, much to the disappointment of the rabble who were expecting him.

"When the mob", he wrote, "found themselves defrauded of their expected uproar by my not going to the Schools, they raised a cry 'to Trinity Lodge', and rushed to our Gate. Our porter, luckily, was resolute, and kept them out single-handed. They afterwards went to St John's, where they tried to force the Gate, and to Christ's, where they made the same attempt. They failed at the front Gate, but broke in at the kitchen door. However they went away, frightened, I believe, at their own success."<sup>3</sup>

Whewell was convinced that the disorder was due more to the Town than to the Gown, and the Mayor was of a contrary belief;<sup>4</sup> but this difference of opinion is not material, as the participation of undergraduates in the rioting was not denied. But though the reputation of the University suffered by this disgraceful episode, Whewell's did not. The courage and determination he displayed won him general admiration; and, as with all his faults he was never petty, he was magnanimous in the hour of victory. When he was presented with a list of persons *in statu pupillari* who had taken part in the riots, he refused to look at it, saying "the election is over, they will not do it again".

<sup>1</sup> Diary of J. Romilly, 7, 8 and 9 February 1856; Mrs Stair Douglas, *Life of Whewell* (1881), pp. 458-461. There are minor differences between Whewell's and Romilly's accounts.

<sup>2</sup> When he retired, Denman had received less than half the number of votes given to Walpole.

<sup>3</sup> Mrs Stair Douglas, *Life of Whewell* (1881), p. 461.

<sup>4</sup> Mayor of Cambridge to Whewell, Sunday evening, Whewell Papers.

It is possible that the undergraduates might have been less turbulent and disorderly if they had been allowed more liberty in certain directions. Undoubtedly much of the discipline, to which they were subjected, was quite salutary: it was not unreasonable, for instance, for the Trinity Seniority to impose a fine of half-a-crown upon the "youngsters", as Romilly calls them, "who wear their gown on their arm instead of their shoulders",<sup>1</sup> or to instruct the Master severely to reprimand an undergraduate for swearing in hall;<sup>2</sup> and probably Whewell was justified when, as Vice-Chancellor, he endeavoured to prohibit dinners in taverns.<sup>3</sup> But there was an undeniable tendency to treat undergraduates like schoolboys. Thus the authorities remained far too long under the sway of the superstition that the organised expression of political sentiments by persons *in statu pupillari* was extremely dangerous; and were therefore much disturbed to learn in April 1831 that a meeting of Bachelors of Arts and undergraduates had been summoned "for the purpose of petitioning the King against that measure of Parliamentary Reform proposed by the present Ministers". Beyond making these youthful politicians ridiculous, the petition could not possibly do any harm, but the Vice-Chancellor and Heads immediately took action, and issued a solemn warning that "every one who attends this, or any similar, meeting will be proceeded against as a violator of the discipline of the University".<sup>4</sup> Eleven years later they decreed that "if any person *in statu pupillari* should thereafter be found resorting to, or having any communication whatever with, any professed teacher of the art of boxing, or be found attending any prize-fight, he should be liable to the punishment of suspension, rustication or expulsion"; and a few months later they prohibited attendance at pigeon-shooting parties under the same penalties.<sup>5</sup> Moreover, a very proper objection to gambling was sometimes responsible for a futile attempt to prevent young men from doing what they will always do, that is bet with one another.

"I have been informed", wrote Whewell to the Tutors on 26 April 1847, "that some of our pupils are in the habit of betting with each other, and 'keeping books', as it is called, in which these bets are recorded; and also that

<sup>1</sup> Diary of J. Romilly, 5 April 1862.

<sup>2</sup> *Ibid.* 6 April 1842.

<sup>3</sup> Matters for the Heads, 29 November 1855, Vice-Chancellor's Book, Whewell Papers.

<sup>4</sup> Decree of Vice-Chancellor and Heads, 27 April 1831, University Papers, University Library, C.H. 31.

<sup>5</sup> C. H. Cooper, *Annals*, vol. IV, pp. 650, 658-659.

this making and recording of bets goes on openly on the hall steps after dinner. I am quite willing to believe that this imitation of the fashions of habitual gamblers has been taken up thoughtlessly, but I am sure you will agree with me that it is in a very high degree mischievous and disreputable, and, if it comes under our notice officially, must be treated as gambling.”<sup>1</sup>

And sometimes the interference with reasonable liberty went very far indeed. In the Lent term of 1857 Robert Tennent, a Trinity undergraduate, was instructed by the Senior Dean to remove his moustache, and appealed in vain to Whewell, who declined to interfere, as he agreed “with the officer of the college in thinking a moustache unsuited to the character of a student of the college, particularly when conspicuous, as it appears that Mr Tennent’s is”. The offender, possibly preferring his moustache to Trinity, migrated to St John’s in the following March;<sup>2</sup> but the Dean did not get his own way entirely, for he wanted “the Master to make a peremptory order against moustaches”, and Whewell, who only objected to them when they were “very pronounced”, refused to go so far.<sup>3</sup> Also, shortly after Whewell had become Vice-Chancellor for a second time in November 1855, he made a note to obtain the views of the Heads on “open air preaching”, and whether they were prepared to “allow preaching by their pupils under the sanction of the Minister of the parish”.<sup>4</sup> What decision was taken is not known, but the pious continued to pursue this missionary enterprise. “At the corner of Burleigh Street”, noted Romilly in his diary on Sunday, 1 March 1857, “I heard some open air preaching: a Fellow Commoner of Christ’s, named Brown, was holding forth with a good deal of animation in his cap and gown to about forty or fifty people: another undergraduate in cap and gown was distributing tracts.”<sup>5</sup>

<sup>1</sup> Draft letter to the Tutors, 26 April 1847, Whewell’s Journal, Whewell Papers.

<sup>2</sup> This information was kindly given me by St John’s College Office. The statement in vol. v of *Admissions to Trinity College* that Tennent matriculated from St John’s is incorrect: the records of the University Registry show that he matriculated from Trinity on 13 November 1854.

<sup>3</sup> Entry in Black Book, 3 February, Whewell Papers. Diary of J. Romilly, 12 February 1857. Romilly states that the Senior Dean had “ordered a Bachelor Scholar” to remove his moustache, and though Tennent was neither a Bachelor of Arts nor a Scholar, it seems almost certain that Romilly was referring to him, and that it is therefore fair to assume that the date of the incident is February 1857. The other reference to it does not give the year.

<sup>4</sup> Vice-Chancellor’s Book, 5 November 1855, Matters for the Heads, 29 November 1855, Whewell Papers.

<sup>5</sup> Diary of J. Romilly, 1 March 1857.

Nowadays there is a far greater difference between school and University discipline; and even the pride of a freshman would be deeply hurt by having to repeat a hundred lines of the *Iliad* to the Junior Proctor, which was the punishment meted out to a Trinity undergraduate by the Chancellor's Court in March 1846.<sup>1</sup> Nor is it only in its treatment of its younger members that the University has improved. Clearly Cambridge did not find it easy to shake itself free from the shackles of its past. It clung to its ancient customs and outworn statutes from fear of exchanging them for worse; and, because they were so familiar, failed to recognise them as the impediments to progress that they actually were. But, with all their falterings and hesitations, the leaders of academic opinion during the first half of the nineteenth century had one great virtue which differentiates them from their predecessors of the eighteenth century, and atones for many of their shortcomings. They increasingly understood that the University owed a duty to the nation, to learning, and to the young men committed to their charge; and if such a spirit had not existed, the reforms imposed by the State might conceivably have been barren in results. It is for this reason that the nineteenth century can be held to be a turning point in the history of the University. The stagnation of the eighteenth century had passed away, and Cambridge had a future before it.

<sup>1</sup> Diary of J. Romilly, 9 March 1846.



## Appendix A

### FELLOWSHIPS OF TRINITY COLLEGE

THE Elizabethan statutes of Trinity College provided that the Master and the eight Senior Fellows should elect to fellowships after conducting an examination of the candidates extending over four days: "primo die in Dialectica et Mathematicis; secundo in Philosophia tum Naturali, tum Morali; tertio in linguarum cognitione, in Historiis, in Poetis, et in toto genere humanioris literaturae; quarto in scribendo de Themate aliquo, et in carminibus componendis; et quid etiam in cantando possint". But by the eighteenth century these examination requirements had ceased to be rigidly enforced. Each of the electors separately examined the candidates in the manner he thought best, and in the subjects with which he was most conversant; and it is therefore extremely improbable that the examination covered all the branches of knowledge prescribed by the statutes. Moreover, during the latter part of the eighteenth century it was not unknown for a Senior to take part in the fellowship election without having examined any of the candidates.

The famous protest of the ten junior Fellows in 1786 against the practice of electors voting for candidates whom they had not examined, not only led to the cessation of this abuse, but to the institution by Dr Postlethwaite, who became Master in 1789, of a public fellowship examination, which, during the second and third decades of the nineteenth century, varied in length from four to five days.<sup>1</sup> It was mainly a test of proficiency in classics and mathematics, though it included papers on metaphysics and on literary and historical subjects.<sup>2</sup>

Never during the nineteenth century was there the slightest suspicion that the electors allowed their votes to be determined by improper motives or

<sup>1</sup> J. M. F. Wright, the author of *Alma Mater*, states that the fellowship examination held in 1817 lasted for two and a half days; but in 1829 it continued for five days, and in 1834 for four. In 1842 Whewell remarks in his Journal "at present the fellowship examination occupies four days". Whewell's Journal, 21 September 1842. Diary of J. Romilly, 21-25 September 1829, 22-25 September 1834. *Alma Mater* (1827), vol. II, pp. 4-5.

<sup>2</sup> In a letter to Archdeacon Hare of 15 December 1840, which is wrongly dated 13 December in Mrs Stair Douglas's *Life*, Whewell remarks, "I have introduced the Philosophy in our fellowship examination." A passage in his work, *Of a Liberal Education*, shows that he did this many years before he became Master. Mrs Stair Douglas, *Life of Whewell* (1881), pp. 206-209; Diary of J. Romilly, 21-25 September 1829, 22-25 September 1834, 1-5 October 1844.

personal prejudice, but they were sometimes very sharply divided in opinion, particularly when weighing the merits of marginal candidates. They were, for instance, sometimes confronted by a difficult choice between a mathematician and a classic, neither of whom were of outstanding merit though both worthy of a fellowship. Thus in 1838 they had no difficulty in filling two of the three fellowships offered, but over the third they wrangled, as some of them were in favour of William Pirie, who had been fifth wrangler but had acquitted himself very badly in the classical part of the fellowship examination, and others supported John Mansfield, who had been placed fourth in the first class of the Classical Tripos and had gained the second Chancellor's medal, but, according to Romilly, was not a first-rate scholar and a very poor mathematician. It was therefore almost impossible to compare them, and it is not surprising to find that Mansfield only secured election by a single vote.<sup>1</sup> And sometimes there was an embarrassing wealth of ability, as on the occasion of the fellowship election in 1846. "We had three fellowships to fill up," writes Romilly. "We voted readily enough for Blackburn and Rendall, but the third was the great difficulty. . . . There was a great fight whether we should take Lushington, the best scholar, or Hensley, the Senior Wrangler";<sup>2</sup> and it was indeed hard to say which had the better claim, for Lushington had been Senior Classic and first Chancellor's medallist, and Hensley a first Smith's prizeman and Senior Wrangler. Also both had only recently graduated and could compete again. It is not unknown at the present day for fellowship electors to be thus faced with a choice between subjects rather than between candidates; but the situation is always embarrassing, and delicate consciences are apt to be pricked. Hensley was elected, though only by a single vote; but no great hardship was inflicted, as Lushington was elected the following year.<sup>3</sup>

About the middle of the nineteenth century, and possibly before, the number of fellowship candidates varied little from year to year, ranging between twenty and thirty;<sup>4</sup> and it would therefore have been well if the number of fellowships offered yearly had also varied little. But as there was no statutory provision for a reserved store of vacant fellowships, which is the only way of securing such an equalisation, the practice was at each annual election to fill up all vacancies, and consequently chance determined the number offered. In 1830 ten fellowships were in the market, but in the following year only five, and in 1821 only one.<sup>5</sup> Consequently in years of plenty the electors were compelled to award fellowships to men who might be

<sup>1</sup> Diary of J. Romilly, 30 September 1838.

<sup>2</sup> *Ibid.* 9 October 1846.

<sup>3</sup> Diary of J. Romilly, 9 October 1846.

<sup>4</sup> W. Whewell, *Notes on the Oxford University Bill* (1854), p. 4.

<sup>5</sup> Diary of J. Romilly, 8 October 1859. Trinity College Conclusion Book.

barely worthy of them, and in years of scarcity to reject extremely desirable candidates; and in either case the college suffered.

The value of a Trinity fellowship had very much increased since the foundation of the college. The original endowment had assigned to all Fellows free rooms and commons, and stipends varying according to their degrees but never exceeding five pounds per annum. In addition they received a small allowance for dress, which also varied in accordance with their degrees. The subsequent rapid fall in the value of money rendered these payments totally insufficient; but owing to an Act passed in the eighteenth year of Queen Elizabeth, which prescribed that one-third of all college rents should be paid in wheat and malt, or in "default thereof. . . after the rate as the beste wheate and malte in the market of Cambridge", the colleges benefited by the depreciation in the value of money, and in the seventeenth century their incomes were generally in excess of their expenditure. They wisely adopted the practice of dividing this surplus between the Master and Fellows, at first in varying proportions, but before long in accordance with a fixed scale.

At Trinity a surplus of one thousand pounds was known as an original dividend;<sup>1</sup> and it was arranged that of this sum the Master should receive £75, each of the eight Seniors £25, the ninth and tenth Fellows £20 each, the next six Fellows in order of seniority £17, and each of the other Fellows £12. 10s. if a Master of Arts, and £5 if a Bachelor of Arts. Therefore the financial value of a fellowship was almost wholly determined by the amount of the annual surplus; and during the latter half of the eighteenth century that amount steadily increased. In 1754 and the following seven years three original dividends were annually distributed, and in 1764 four; but before the end of the century the finances of the college were still more prosperous, and, not infrequently, as many as ten or eleven original dividends were voted by the Seniority.

But the first sixty years of the nineteenth century saw even better times. Thirty-two original dividends were distributed in 1817, twenty-six in 1814, twenty-four in 1812, 1820 and 1821, and twenty-one in 1818. After 1821 there was a drop, though only to a level which in the eighteenth century would have been thought magnificent; but it was some time before there was a recovery, for when in 1846 twenty original dividends were distributed, Romilly remarked that it was "the best fellowship since 1821".<sup>2</sup> But the Fellows, being well content to be so much better off than their predecessors, failed to see how faulty was the practice of dividing nearly all the annual

<sup>1</sup> The sum of £2000 was known as "a whole dividend". J. H. Monk, *Life of Bertley* (1833), vol. 1, p. 234.

<sup>2</sup> Diary of J. Romilly, 7 December 1846.

surplus. It made no provision for bad times, and even when times were good, it produced sudden and considerable variations in the value of a fellowship.<sup>1</sup>

Therefore Francis Martin, the Senior Bursar, being a prudent man, proposed to the Seniors, at a meeting of the Board on 6 February 1847 that they "should never divide more than twenty dividends, and that the surplus should be kept as a fund for making up bad years and for improving small livings";<sup>2</sup> but as we hear that "no Conclusion" was "entered in the Book", possibly the Master and Seniors were unwilling to bind themselves to adopt this cautious policy.<sup>3</sup> They seem, however, to have informally agreed to act in accordance with it, and to have observed the agreement for twelve years, though at least on two occasions, and perhaps more, they might have broken it. "This was on the principle of not exceeding twenty dividends", noted Romilly on 11 December 1848, when the Seniority distributed twenty original dividends, leaving a balance of a little over thirteen hundred pounds to be carried forward;<sup>4</sup> and in December 1857, when again twenty original dividends were voted, Romilly remarks that "we left a good surplus in the Bursar's hands, out of which we voted £1000 for the Vicarage and Domus Fund, and £1200 to pay off part of the £3200 spent on buying houses in Trinity Street."<sup>5</sup>

But in 1859 and the following year twenty-five original dividends were voted, in 1861 twenty-four, and in 1862 twenty-six. No explanation of this change of policy is forthcoming, but it may possibly have been held to be justified by the improvement which had recently taken place in the financial position of the college. In December 1858 it was agreed to pay off the remainder of the debt incurred by the purchase of houses in Trinity Street;<sup>6</sup> and a memorandum, concerned with income and expenditure, which Martin drafted in February of the same year for the Statutory Commissioners, was decidedly on the sanguine side. In the preamble to this statement Martin pointed out that the average gross income of the college for the last seven years was considerably greater than that for the ten years before, and that an increase in the net income of the college, amounting to £2500, might be expected by the end of the year 1870. He was, however, cautious, as Bursars ought to be: he stressed the increase in expenditure and the extremely important fact that "a considerable portion of the rents for the year 1857 (about

<sup>1</sup> Thus, thirty-two original dividends in 1817, twenty-one in 1818, and thirteen in 1819. And, again, twenty-four original dividends in 1821, fourteen in 1822, and ten in 1823.

<sup>2</sup> Diary of J. Romilly, 6 February 1847.

<sup>3</sup> *Ibid.* 6 February 1847.

<sup>4</sup> *Ibid.* 11 December 1848.

<sup>5</sup> *Ibid.* 11 December 1857. The entry in the Conclusion Book of the College gives slightly different figures, but the differences are not material.

<sup>6</sup> Trinity College Conclusion Book, 11 December 1858.

£8000) was derived from corn-rents based on a price of wheat and malt much higher than the average price of the last seven years, and that a decrease of from twelve to fifteen per cent on the corn rents must be expected on that account".<sup>1</sup> But on the whole he struck a confident note, and very possibly did not regret the abandonment of the twenty original dividends limit.<sup>2</sup>

<sup>1</sup> Preamble of the Communications to the Cambridge University Commissioners, from the Senior Bursar, on behalf of the College, in regard to the revenues and expenditure of the College, 9 February 1858, Whewell Papers.

<sup>2</sup> The number of dividends annually distributed are recorded in the College Contusion Book.

## Appendix B

### THE TRINITY SENIORITY

THE eleventh chapter of the Elizabethan statutes of Trinity prescribes the mode of election into the Seniority of the College.

“Statuimus porro et decernimus”, it set out, “ut Seniorum electio intra novem dies ad summum post locum vacantem fiat: sitque ista horum eligendorum forma. Cum Senioris alicujus vacet locus, Magister, vel eo absente, Vicemagister, convocatis in Sacello, ut dictum est, illis Senioribus qui reliqui sunt, cooptet in eum cœtum Socium illum qui sit proxime Senior, nisi gravis causa, per Magistrum et majorem partem prædictorum Seniorum approbanda, obstiterit. Sin autem ea de causa minus idoneum censuerint; Socius senior proximus ordine eligatur; et ita deinceps. . . . Quod si post tria scrutinia aperta, de uno eligendo non convenerint, is in numerum eum cooptatus est, quem Magister, si domi sit, vel si absit, certior de ea re per literas Vicemagistri factus, solus nominaverit; qui postero die quo electus fuerit, det coram Magistro, vel eo absente, Vicemagistro ac septem reliquis Senioribus jusjurandum, se munus illud fideliter et omnino secundum legem de eo sancitam obitutum.”

The third chapter of the same statutes enjoined that a Senior, on absenting himself from college, should appoint a vicarius or deputy.<sup>1</sup>

It is therefore clear that the Fellow next in order of succession to the Seniority ought to be elected, unless the Master and four of the Seniors agreed that he was disqualified by a “gravis causa”; but in the nineteenth century the exact connotation of this phrase was in doubt. It was never disputed that insanity, or “anything which would make a man unfit to be a Senior, without being of such a nature as to justify his expulsion”<sup>2</sup> was a “gravis causa”; and it was also held that a voluntary declaration by a non-resident Fellow that he did not wish to stand for election could also be counted as such.<sup>3</sup> The case of a non-resident Fellow who, when asked, omitted to say whether he wished to become a Senior, presented more difficulty; but when in 1851 Thomas Wilkinson merely acknowledged the receipt of such an enquiry, the Seniority passed him over, and elected his junior, Robert Whiston.<sup>4</sup> They deemed it prudent, however, to put their action on record

<sup>1</sup> These provisions remained substantially unchanged after the revision of the statutes in 1844.

<sup>2</sup> Richard Sheepshanks to W. Whewell, 4 August 1843, Whewell's Journal, Whewell Papers.

<sup>3</sup> Diary of J. Romilly, 10 July 1843, 26 February 1850, 26 November 1853. Whewell's Journal, 9 and 10 July 1843, 31 July 1847, Whewell Papers.

<sup>4</sup> Diary of J. Romilly, 14 October 1851.

by making the following entry in the College Conclusion Book: "Mr Wilkin-son having been duly informed by the Master of the vacancy in the Seniority made by Mr Carus' marriage, and of the day appointed for the election of a new Senior, and having received the notice, and not having in any way, by letter or in person, expressed his willingness to undertake the duties of the office;—agreed that this is a 'gravis causa', according to the meaning of the statute, for not electing him a Senior".<sup>1</sup>

But during Wordsworth's mastership there was a sharp conflict of opinion as to the eligibility of a non-resident Fellow who, though not prepared to pledge himself to resume residence, was, nevertheless, willing to be elected a Senior. Wordsworth maintained that non-residence was a "gravis causa", and had reason on his side, for, though a non-resident Senior might arrange to come to Cambridge for the fellowship and scholarship elections, it was most unlikely that he would regularly attend the meetings of the Seniority. Several of the Fellows, however, believed that Wordsworth interpreted the statute wrongly, and this view was very forcibly expressed by Richard Sheepshanks in a letter to Whewell.

"Now what", he wrote, "is a 'gravis causa'? I allow that considerable latitude and discretion must be given to the body of electors, but one thing is clear, that *past non-residence* is no causa at all. The permission not to reside is entirely in the breast of the Master,<sup>2</sup> and if there be one rule of law clearer than another, it is that you may not first excuse a man's transgression, and then punish him for it. . . . Neither can we assume *non-residence for the future*, even judging from the past, unless, perhaps, a man holds some office elsewhere, which absolutely requires residence elsewhere, and is not prepared to resign it. As the Master can compel residence, non-residence is no legal offence, and to assume that a man will not reside is first to assume what you cannot positively know, and secondly to call that an offence which is committed by your own permission."<sup>3</sup>

The weakness of this argument was that the Master had practically lost the right of compelling residence.

The death of Thomas Spencer in April 1823 created the first vacancy in the Seniority after Wordsworth's elevation to the mastership; and the Fellow next in order of succession on this occasion was Owen, who was, and had been for many years, in America. "I objected to propose him," records Wordsworth, "thinking there was a 'gravis causa' why he should not be elected. I put it as a previous question to the Seniors whether there was not 'gravis causa' and, they concurring, Mr G. A. Browne, next in order, was proposed

<sup>1</sup> Trinity College Conclusion Book, 14 October 1851.

<sup>2</sup> Chapter xxii of the Elizabethan statutes.

<sup>3</sup> Richard Sheepshanks to Whewell, 4 August 1843. Whewell's Journal, Whewell Papers.

and elected."<sup>1</sup> This is no reason to think that the Seniors voted reluctantly for Browne. It was most unlikely that the offer of a place on the Seniority would entice Owen back to England, and, moreover, quite impossible to ascertain his wishes within the time allowed by the statutes for the vacancy to be kept open. Nor did the two following elections in December 1823 and April 1825 give any trouble; but the death of Carr, who had only been a Senior for two years, in December 1825, created a situation of some difficulty. J. B. Campbell was on this occasion the proxime Senior, and as the vicarius of an absent Senior, he attended the meeting of the Seniority which had been called to fill up the vacancy caused by Carr's death. Though he had never resided, he wished to be a Senior, but only on his own conditions, which were very singular: he voluntarily stated that he would neither reside nor discharge the duties of a Senior, not even to the extent of acting as an elector to fellowships and scholarships. This was so clearly a "gravis causa" that he only received a single vote, his own.<sup>2</sup>

Wordsworth was doubtless very well pleased that Campbell was so frank, for, had he been more cautious, some at least of the other electors would have voted for him, though quite aware that he was unlikely to come into residence. Indeed, very strangely, there seems to have been a feeling that Campbell had been wronged, for three months later, when there was another vacancy in the Seniority, he was elected in the absence of the Master who was ill at the time. On this occasion he made no statement and was asked no questions;<sup>3</sup> but the electors must have known that he would neglect his duties, and may have doubted his sanity.<sup>4</sup> The only explanation of their conduct is that they wished to establish the principle that a non-resident candidate for the Seniority should not be obliged to give an undertaking that he would resume residence.

They thereby stored up trouble for the future, and the storm burst in October 1837, when Thomas Musgrave vacated his fellowship and his place on the Seniority by becoming Bishop of Hereford. The electors met on 4 October 1837, and the proceedings began with an announcement by the Master that R. W. Evans, proxime Senior, had declined to stand on account of

<sup>1</sup> Wordsworth's *R.B. Books*, vol. III, p. 91.

<sup>2</sup> Wordsworth's *R.B. Books*, vol. I, pp. 26-27.

<sup>3</sup> Diary of J. Romilly, 28 January 1850.

<sup>4</sup> Campbell, who died in November 1853, never having resided, was frequently referred to as "our mad Senior", but in January 1850 Richard Allott, a Fellow of the college, informed Romilly that Campbell was not mad, though very obstinate, and that "he is bent double with an internal obstruction which might be removed by an operation, but he is afraid of undergoing it, and lives a miserable existence in his chambers in the Temple". Diary of J. Romilly, 28 January 1850, 21 November 1853.



what Romilly described as “an absurd and romantic notion of the necessity of residence”.<sup>1</sup> Nevertheless, he was considered to be a candidate, but as after three scrutinies only two of the electors had voted for him, and the Master had abstained from voting, he was not elected. The next in order of succession was T. S. Gossett, who was present as a vicarius for an absent Senior. He received six votes, including his own, out of a possible eight; but the Master “refused to confirm the majority” because Gossett, though willing to come and examine for fellowships and scholarships, “had refused to pledge himself to residence”;<sup>2</sup> and without that confirmation he could not be elected, as the votes of all the Seniors were required to carry him against the Master. As three scrutinies brought no change, the electors proceeded to consider George Peacock, the third in the order of succession, who was also present as a vicarius; but he received only two votes. By this time tempers were beginning to show signs of wear. “I now declared my intention”, writes Romilly, “of voting against every name down the whole list, and, as I was joined in this, they were all rejected.”<sup>3</sup> Thereupon the Master, in strict accordance with his statutory right, nominated Peacock to the vacancy,<sup>4</sup> doubtless preferring him because he was in residence; but withdrew the nomination when Peacock declared that it “gave him the greatest pain, and that he most particularly begged him to revoke it”. He then nominated Evans, perhaps induced to do so by the hope that he might be able to persuade him to reside; and, as Evans was not present, he was unable to protest.<sup>5</sup>

Some of the Fellows were exceedingly angry: Romilly described Gossett as the “first victim of the Master’s strained notions of the duties of a Senior”,<sup>6</sup> and Sedgwick threatened an appeal to the Visitor “if the Master does not retreat”.<sup>7</sup> They were angry because they considered that Evans’ refusal to stand for election constituted a “*gravis causa*”, and that therefore Gossett ought to have been elected, as he would have been if the Master had voted for him. And the Master, though he had triumphed, was not apparently easy. Though convinced that the habitual non-residence of a Senior was prejudicial to the welfare of the college, he could not be certain that he correctly interpreted the statute, and naturally must have regretted a difference of opinion with his Fellows over a question which would inevitably from time to time give rise to bitter contention. And he was given time for reflection, as there was not another vacancy in the Seniority until September 1839; and, when it came, he beat a retreat. When the Seniors met on 28 September 1839, he ex-

<sup>1</sup> Diary of J. Romilly, 4 October 1837.

<sup>2</sup> *Ibid.* 4 October 1837.

<sup>3</sup> *Ibid.* 4 October 1837.

<sup>4</sup> The statutes provided that if after three scrutinies no election had been made, the Master could nominate any qualified person.

<sup>5</sup> Diary of J. Romilly, 4 October 1837.

<sup>6</sup> *Ibid.* 4 October 1837.

<sup>7</sup> *Ibid.* 12 October 1837.

plained to them that "he thought much the same as last year,<sup>1</sup> but as the majority of the Seniors thought differently from himself, and especially as the statute would soon undergo revision, he should not make any difficulty, and he therefore proposed Mr Gossett...Mr Gossett was elected without opposition, and was sworn in".<sup>2</sup>

Wordsworth's hopes were, however, not fulfilled, as no change was made in the relevant provisions of the eleventh chapter when the statutes were revised in 1844. But Whewell, either by good fortune or prudence, seems to have avoided serious friction with his Seniors over the question of residence, though his personal view was that a Fellow who was not prepared to reside should decline election into the Seniority. Thus, when on the occasion of a vacancy in July 1847 Thomas Remington, being non-resident, declined to stand for election "at present", Whewell approved his action, and in a letter to him expressed the hope "that in future he would remain in the same mind".<sup>3</sup> There was, indeed, a danger that in practice the Seniority might come to consist almost wholly of vicarii. At a meeting of the Board on 26 May 1843, at which it was agreed to petition the Crown for Royal Letters confirming the revised statutes, only two proper Seniors were present, the Vice-Master being ill, Sedgwick out of Cambridge, and Campbell, Allott, Evans and Gossett being, as Whewell noted in his *Journal*, "habitually non-resident".<sup>4</sup> Therefore, when Romilly found six actual Seniors present at a meeting of the Board in April 1856 to elect Scholars, he was much astonished by such "a very unusual number";<sup>5</sup> and still more astonished when all the eight actual Seniors attended a meeting on 5 December 1860: "a most rare occurrence" he remarks in his diary.<sup>6</sup>

It was a scandalous state of affairs. As a Senior by virtue of his office received a larger share of the fellowship dividend than the other Fellows, he had no excuse for neglecting his duties, particularly when by doing so he imposed a burden of unremunerated work upon others.<sup>7</sup> But the scandal continued until 1861, when the new statutes came into force and provided that a non-resident Fellow could not be elected into the Seniority unless, previous to the election, he had notified the Master in writing that he intended to reside. Thus a principle for which Wordsworth had fought stoutly, but in vain, triumphed many years after his death.

<sup>1</sup> That is, last academical year.

<sup>2</sup> Diary of J. Romilly, 28 September 1839.

<sup>3</sup> Whewell's *Journal*, 31 July 1847, Whewell Papers.

<sup>4</sup> *Ibid.* 26 May 1843.

<sup>5</sup> Diary of J. Romilly, 4 April 1856.

<sup>6</sup> *Ibid.* 5 December 1860.

<sup>7</sup> The ninth and tenth Fellows on the roll received a larger dividend than those below them on the roll, as they might be called upon to act as *vicarii*; but it is quite certain that a Fellow would frequently have to take the place of an absent Senior long before he came tenth on the roll.

## Appendix C

### SIR ISAAC NEWTON'S ROOMS

THERE is a Trinity tradition that Sir Isaac Newton, during the latter part of his life in college, occupied the set of rooms now known as E 4 Great Court; and it is more securely founded than most traditions. There is direct evidence for it. An entry in the Junior Bursar's Books for the year ending Michaelmas, 1683, reports "mending the wall betwixt Mr Newton's garden and St John's";<sup>1</sup> and this garden must clearly have belonged to a set on E staircase. And there is little doubt as to the particular set to which it belonged. The record of occupants of college rooms, which, unfortunately, was not systematically kept before the nineteenth century, shows that H. J. Hotham, a Fellow of the college, occupied E 4 Great Court from 1853 to 1866; and Romilly in his diary mentions a scheme, discussed at a meeting of the Seniority on 1 June 1855, "of rounding off a part of Hotham's garden, and throwing the boundary wall back, so as nearly to touch the chapel".<sup>2</sup> It is, of course, conceivable that within the space of almost two hundred years the garden might have been detached from one set and connected with another; but the entry in the Junior Bursar's Books is not the only testimony to the truth of the tradition.

There is a chain of indirect evidence. The first link in it is supplied by Richard Cumberland, Bentley's grandson, who was born in Trinity Lodge, and began residence as an undergraduate of the college about 1747.

"Dr Richard Walker, the friend of my grandfather and Vice-Master of the college," he wrote, "never failed to distinguish me by every kindness in his power. He frequently invited me to his rooms which I had so often visited as a child, and which had the further merit with me as having been the residence of Sir Isaac Newton, every relic of whose studies and experiments were respectfully preserved to the minutest particular, and pointed out to me by the good old Vice-Master with the most circumstantial precision."<sup>3</sup>

But, though Cumberland establishes that Newton and Walker occupied the same set, he does not say which it was; but his omission has been repaired. In this connection a letter which J. H. Monk, when Bishop of Gloucester, wrote to Whewell is important.

<sup>1</sup> This entry is quoted in J. Edleston, *Correspondence of Sir Isaac Newton with Professor Cotes* (1850), p. xliii, and L. T. More, *Life of Newton* (1934).

<sup>2</sup> Diary of J. Romilly, 1 June 1855.

<sup>3</sup> *Memoirs of Richard Cumberland* (1806), pp. 72-73.

“About Sir Isaac Newton’s rooms being those now occupied by Mr J. Brown, your Senior Fellow,” wrote the Bishop on 16 July 1847, “there can be no doubt. The tradition of their being Vice-Master Walker’s is unquestioned; and Cumberland’s evidence fixes the identity with those of Newton. . . . Upon the history of the rooms subsequent to Walker’s death (in 1763, I believe),<sup>1</sup> I beg I may not be quoted as evidence—for in truth I only know that Mr Brown succeeded Mr Hole, and that before him they had been occupied by some nobleman.”<sup>2</sup>

The college record of the occupants of sets shows that when the Bishop wrote this letter, J. Brown occupied E 4 Great Court, having succeeded Hole there in 1826.<sup>3</sup> Thus by different roads the same end is reached.

<sup>1</sup> Walker died in 1764.

<sup>2</sup> Bishop of Gloucester to W. Whewell, 16 July 1847, Whewell Papers.

<sup>3</sup> No occupant of the set before Hole is given.

## Appendix D

### THE STATUE OF ISAAC BARROW IN TRINITY CHAPEL

ROUBILIAC's statue of Sir Isaac Newton, presented in 1755 by Dr Robert Smith, stood alone at the west end of the ante-chapel of Trinity until a statue of Lord Bacon, given by Whewell shortly after he became Master, was placed on its right. The addition of Bacon was an artistic blunder, as it obscures the beauty of the Newton statue; and it unfortunately occasioned another.

"The last time I was within the walls of Trinity College," wrote Lord Lansdowne to Whewell on 24 November 1856, "after the statue of Lord Bacon had by your liberality and exertion been compleated (*sic*) and placed in the situation it now fills in the antichapel (*sic*) where that of Newton had long been seen, I could not help considering whether the history of English literature and philosophy could produce a name representing a genius so exalted as to be worthy of such companionship, and as such fitted to fill the corner which now appears to be left vacant on the opposite side. But one occurred, or would, I think, occur to others engaged in the same consideration, with the exception indeed of another which has no academic associations—that of Milton. I had, accordingly, in a codicil to my will bequeathed a sufficient sum, to secure the erection of a statue to his memory by one of the best English artists, to the college, should they be willing to accept of it for that purpose. . . . It has now occurred to me that God having been pleased, hitherto, to spare my life, I might possibly have the satisfaction of seeing the statue erected, and I will therefore request the favor of you to inform me whether it will be agreeable to you and to the other authorities of the college to do me the honor of receiving as a present what was intended as a legacy."<sup>1</sup>

In his reply to this letter Whewell pointed out that as Milton was not a Trinity man, the college would not wish to have a statue of him, and suggested, as more suitable candidates for such an honour, George Herbert, Dryden, Pearson, Barrow and Bentley.<sup>2</sup> Lord Lansdowne was rather surprised by the objection taken to Milton, but generously said that, though he would not take upon himself "the selection of any other name", he was prepared to "acquiesce in any, which upon consideration you and the teaching members of the college might suggest".<sup>3</sup> But he, nevertheless, consulted

<sup>1</sup> Whewell Papers.

<sup>2</sup> A copy of Whewell's letter is not among his papers; but Lord Lansdowne's letter of 24 November has the following endorsement: "The Master answered that Milton would be objectionable, not being of the college. He suggested as alternatives George Herbert, Dryden, Pearson, Barrow or Bentley. W. W."

<sup>3</sup> Lord Lansdowne to W. Whewell, 28 November 1856, Whewell Papers.

Macaulay who, consequently, on 1 December wrote an extremely characteristic letter to Whewell, which from that day to this has lain buried among Whewell's papers. It is sufficiently interesting to deserve to be quoted in full.

"Lord Lansdowne", it begins, "has shown me the letters which have passed between you, and has done me the honor to ask my opinion. I wish from the bottom of my soul that Milton had been a Trinity man. But as his parents were so stupid and perverse as to send him to Christ's, I must admit that your arguments against putting up a statue of him in our chapel are of great weight. I am glad, but not at all surprised, to find that Lord Lansdowne, though not quite convinced, is most amiably and generously desirous to do whatever may be pleasing to the College.

Then comes the question; who shall share the honors of Bacon and Newton in our ante chapel? An equal of Bacon and Newton it cannot be. In the registers of all the colleges of Cambridge and Oxford we shall find nobody, Milton excepted, who is worthy to be 'terzo fra cotanto senno'. We must chuse some second rate man to be the associate of our two first rate men. The choice is difficult. But I think that, if I had a voice, I should give it in favour of Bentley. I told Lord Lansdowne my reasons, and he begged me to write them to you, with whom the decision will rest. They are these.

Bentley is distinguished from all the other candidates mentioned in your letter by one most important circumstance. He was decidedly the greatest man of his class. This cannot be said of Herbert or Pearson. It cannot be said even of Dryden or Barrow. Dryden's most enthusiastic admirers will hardly put him so high as third among our poets. Barrow did many things well, but nothing, I think, preeminently well. His fame rests chiefly on his sermons, and there are sermons of South, of Taylor, of Robert Hall, which I prefer to Barrow's best. But Bentley is the greatest man in his own department that has appeared in Europe since the revival of letters. That department, it may be said, is not the highest. I grant it. I do not rank the *Phalaris* or the *Epistle to Mill* with the *Principia* or the *Novum Organum*. Still, great reverence is due to the man who has done best what thousands of able and industrious men have, during four centuries, been trying to do well. And surely, if there be in the world a place where honor ought to be paid to preeminence in classical learning, that place is our antechapel. During several generations classical learning has been the peculiar glory of our college. In the sciences of which Bacon and Newton were the great masters we have been equalled, some may perhaps think, surpassed. But, in the studies from which Bentley derives his fame, we are, I believe, unrivalled. And this is to be attributed partly to the influence of his genius. To this day, unless I deceive myself, the scholarship of Trinity men has a peculiar character which may be called Bentleian, and which is not found in the scholarship of men who have gained the highest honors of Oxford. I am far from putting Bentley in the same rank with Newton. But in one respect the two men may fairly be classed together. They were the two intellectual founders of our college. Their minds have left an impress which is still plainly discernible. They may therefore, with peculiar propriety, appear together in our antechapel.

There is another reason for preferring Bentley to Barrow. Barrow is buried in Westminster Abbey, and has a statue there. Bentley lies in our chapel, and has no statue,—not even, to the best of my recollection, a tablet. Now this I think really

discreditable to us, so discreditable that I would gladly subscribe a few guineas towards the removing of such a reproach. I shall be truly glad therefore if Lord Lansdowne's munificence repairs what seems to me a great neglect.

You say, I observe, in your letter to Lord Lansdowne—'Some have a moral blemish, as Bentley and Dryden'. I agree with you as to Dryden. But surely you, to whom we owe that fine monument of Bacon, will, on reflection, admit that the faults of Bentley were not such as ought to be punished by permanent exclusion from public honors. Dryden was immoral as a poet, Bacon as a Judge, Bentley as Master of a College. I therefore would not set up any monument to Dryden in his character of poet, to Bacon in his character of Judge, or to Bentley in his character of Master of a College. But Dryden has no claim to a monument except as a poet. His licentiousness taints those very works on which alone his fame depends; and it is impossible to do honor to the writer without doing honor to the libertine. With Bacon and Bentley the case is quite different. You testified your respect for the great philosopher, although you knew that he had been a servile politician and a corrupt Chancellor. And Lord Lansdowne may surely testify in the same way respect for the great scholar, notwithstanding all the bad stories which are to be found in the pamphlets of Professor Colbatch and Sergeant Miller.

This is the substance of what I said to Lord Lansdowne yesterday evening. I shall be anxious to know how you decide."<sup>1</sup>

Macaulay unfairly belittled Barrow, but did not exaggerate the claims of Bentley to a statue in Trinity Chapel. But his appeal for tardy justice to be done to a great intellectual benefactor of the college was challenged by Adam Sedgwick, who in a letter to Lord Lansdowne sought to redress the balance in favour of Barrow. Sedgwick admitted that Bentley was the prince of critics, but urged that Barrow was greater than a critic: "what vast learning," he contended, "what logical skill in the use of it, what grand old fashioned eloquence, what earnestness in the cause of moral truth, do we find in the works of Barrow!"; and those works, he declared, "will live so long as majestic eloquence, and learning and moral truth, and Christian hopes, are dear to the hearts of men". But his preference for Barrow was probably determined by other considerations, insignificant though, as he admitted, they might be thought.

"Barrow", he contended, "was a man of simplicity, piety, and sincerity, always earnest and truth-loving; and he was a great benefactor to the college. He is annually named with honour on our Commemoration Day on account of the active and munificent part he took in forwarding the erection of our beautiful Library. There is no corresponding commemoration of Bentley; and he was our Master during a very long period of broil and litigation, produced, in part at least, by his own acts of tyranny and dishonesty. . . . In estimating his grade on a merely intellectual scale, it might be well to shut out from sight such facts as these. In comparing him with Barrow, and in reference to a monument of honour in our chapel, they ought not, I think, to be

<sup>1</sup> Whewell Papers.

forgotten altogether. Lastly, there is another point (of small importance indeed, and but as dust in the balance) in which Barrow has the advantage over Bentley. Barrow was a regularly bred Trinity College man. Bentley was bred at St John's, and in mature life was placed over our society by the Crown."<sup>1</sup>

But Sedgwick was preaching to the converted. Lord Lansdowne considered that both Sir Edward Coke and Dryden had better claims to a statue in Trinity than Bentley; and Dryden "very decidedly, were it not for the unlucky poetical record of his migration from one University to the other";<sup>2</sup> but he placed Barrow first. He was, however, content to abide by the decision of the college.<sup>3</sup>

The college was divided in opinion; but a letter which he received from Whewell in March 1857 convinced Lord Lansdowne that the advocates of Barrow were in a majority, and he therefore announced his intention of taking "steps accordingly".<sup>4</sup> It is quite possible that Macaulay was Bentley's solitary supporter, and there is certainly no evidence that his claims were urged seriously by anyone else. Trinity had not forgiven him, and therefore did not wish to honour him.

<sup>1</sup> A. Sedgwick to Lord Lansdowne, 18 December 1856, J. W. Clark and T. McKenny Hughes, *Life of Adam Sedgwick* (1890), vol. II, pp. 330-332. A copy of this letter is also among the Whewell Papers.

<sup>2</sup> "Oxford to him a dearer name shall be  
Than his own mother-University;  
Thebes did his rude, unknowing youth engage;  
He chooses Athens in his riper age."

<sup>3</sup> Lord Lansdowne to Adam Sedgwick, 24 December 1856, Whewell Papers.

<sup>4</sup> Lord Lansdowne to W. Whewell, 17 March 1857, *ibid.*





## INDEX

- Aberdeen, Earl of, becomes Prime Minister, 271; and the annexation of Ely Canonries to Divinity Professorships, 281; and the Bill for Cambridge Statutory Commission, 283
- Acts, *see* Exercises
- Adeane, Miss, visit to Fitzwilliam Museum, 142
- Ainslie, Gilbert, Master of Pembroke, on committee of Heads for revising University Statutes, 196; and the Royal Commissioners, 235 note 3; and the Statutes Revision Syndicate, 239-241, 255; and the Bill for Statutory Commission, 283
- Airy, Sir George, Plumian Professor, increase in stipend, 182; a candidate for Lucasian Professorship, 184; and University accounts, 251; and Statutory Commissioners, 358, 361
- Albert, H.R.H. Prince, elected Chancellor, 106-120; installation of, 120-121; visits to University, 107, 200; and Whewell, 147, 198-201; task as Chancellor, 197-198; promotion of reform, 200-206, 213; and the appointment of a Royal Commission, 221-222, 225-227, 229-231; and Statutes Revision Syndicate, 257-258; urges University hostels, 263, 284; activities in University between the Commissions, 271, 276; and the Studies Syndicate, 281; and the Bill for Statutory Commission, 283-285
- Alderson, Sir Edward, and the Professorship of Mineralogy dispute, 40-41; appointed Statutory Commissioner by 1855 Bill, 46 and note 3; and Statutes Revision Syndicate, 255; and Master-ship of Caius, 265-266
- Ale-Houses, licensed by University, 124-126, 132-135, 137
- Allot, Richard, Fellow of Trinity, non-resident, 433
- Alvarez, Letters of Don Manuel, 148
- Anatomy, Professorship of, *see* Professorships
- Arabic, Adams Professorship of, *see* Professorships
- Archdall, George, Master of Emmanuel, and licensing of ale-houses, 125; and Voluntary Theological Examination, 171-172
- Arnold, Matthew, signs petition for Commission, 210
- Arts, bachelors of, *see* Degree Courses
- Assize of Bread and Beer, 122 and note 3
- Astronomy and Experimental Philosophy, Plumian Professorship of, *see* Professorships
- Astronomy and Geometry, Lowndean Professorship of, *see* Professorships
- Audley End, and mastership of Magdalene, 264
- Babbage, Charles, and Mathematical Tripos, 157; candidate for Lucasian Professorship, 184
- Babington, Humphrey, Fellow of Trinity, agreement with college, 61 and note 6
- Barnes, Francis, Master of Peterhouse, 80; neglect of professorial duties, 175
- Barnwell Fair, 129 and note 1, 133-135, 315
- Barrow, Isaac, statue in Trinity Chapel, 436-439
- Bateman, William, 265
- Bateson, William, Fellow and, afterwards, Master of St John's, and the 1855 Bill for Statutory Commission, 44-45, 48-49, 51; attacked by Whewell, 53; and the Statutes Revision Syndicate, 239, 242, 255; and the 1856 Bill for Statutory Commission, 284; and the meeting of the Governing Bodies, 361; conflict as Vice-Chancellor with the Proctors, 376-380: *see also* 55, 324, 369 note 2
- Bedells, remuneration of, 251; proposed reduction in number, *ibid.*

- Bedford, Duke of, and British and Foreign Bible Society, 24
- Bell, John, and election to mastership of Sidney in 1807, 14
- Bentley, Richard, Master of Trinity, proposal for erection of his statue, 437-439
- Beverley, R. M., his letter to Duke of Gloucester, 86-88
- Blackburn, Hugh, and Trinity fellowship election in 1846, 425
- Blakesley, Joseph, Fellow of Trinity, supports Lord Lyttelton for High Stewardship, 98-99, 101, 103, 105
- Blomfield, C. J., Bishop of London, and Whewell, 82 and note 1; election of Prince Albert as Chancellor, 112; and theological instruction, 168-169
- Blore, Edward, his efficiency as Proctor, 380
- Blücher, Marshal, dines in Trinity College, 64 note 1
- Blunt, J. J., Lady Margaret Professor of Divinity, supports Lord Powis for Chancellorship, 111; and Voluntary Theological Examination, 211
- Board, of mathematical studies, 208-213, 259; of other studies recommended by Royal Commissioners, 259; and recommended by Studies Syndicate, 279, 281-282
- Botanical Gardens, deputy reader boycotted by Tutors, 85
- Botany, Professorship of, *see* Professorships
- Bowling Green of Trinity College, suggested as site for a new court, 61 note 2
- Braham, John, forbidden to give a concert in Cambridge, 127 note 3
- Bristol, Earl of, and the British and Foreign Bible Society, 23-24
- British and Foreign Bible Society, establishment of branch at Cambridge, 19-25; its constitution and purpose, 19; attacked by churchmen, 19-20, 23; evangelical support of, 19
- Brocklebank, Thomas, of King's, appointment of as Pro-Proctor, 378-379
- Brown, John, Fellow of Trinity, 18; occupies Newton's rooms, 435
- Browne, G. A., Fellow of Trinity, admission as Senior, 63 and note 1, 430-431
- Browne, Harold, Norrisian Professor, generosity of Selwyn to, 328 note 5; *see also* 327
- Browne, Thomas, Master of Christ's and Vice-Chancellor, attitude towards the British and Foreign Bible Society, 22-23
- Bunbury, Edward, Secretary of Statutory Commission, 314; and Whewell, 349-352, 358, 360
- Burlington, Earl of, appointed Statutory Commissioner in 1855 Bill, 46 and note 3; represents University in Parliament, 97 note 3, 100; invited to stand for High Stewardship, 100; distinguished academic career of, 100
- Butler, George, Fellow of Sidney Sussex College, and the election of a Master in 1807, 8-13, 15-17
- Butler, Henry Montagu, Fellow of Trinity, and the meeting with the Commissioners, 362; and the manifesto of the twenty-two Fellows, 362-364; *see also* 369, 370
- Caius, John, Master of Caius, 265, 266 note 3
- Cambridge, Prince George of, visit to University, 400-403
- Cambridge, Town of, grievances against the University, 122-131; negotiations with University, 132-135; failure of negotiations, 135-136; submission of dispute to Sir J. Pateson, 136
- Cambridge, University of, connection with Church of England, 21, 83-85, 89-90, 99, 100, 168, 253; political sympathies, 97 and notes 1 and 3; 98 and note 1; attacks on, in Parliament, 90-96, 105-106; privileges of, with regard to Town, 122-132; negotiations with Town, 132-135; failure of negotiation, 135-136; submission of dispute to Sir J. Pateson, 136; public criticism of, 148-149; poverty of, 182, 184; and appointment of Royal Commission, 227-233; accounts of, 251-252, 258; educational scheme for, by Royal Commissioners, 259-263; reforms at, between the two Commissions, 273-274,

- 276-283; and Lord Palmerston's letter (Dec. 1853), 277-278; and the Bills for Statutory Commission, 43-52, 284; and Statutory Commissioners, 314-338
- Camden, Marquess, and reform of college statutes, 188; visit to University, 399-404; death of, 98, 101
- Campbell, J. B., Fellow of Trinity, 431-433
- Canons of 1604, 84, 252
- Canterbury, Archbishop of, and Downing College, 2, 6; and visit of Lord Camden to Cambridge, 401-403
- Caput, mode of electing, 29, 238; composition of, 238; powers of, 29, 238; recommendation by Statutes Revision Syndicate about, 42, 238-242, 254-257, 268; and the 1855 Bill for Statutory Commission, 43-45; unfitness to act in advisory capacity, 49; and petitions, 92 and note 1; and Royal Commissioners, 258; disappearance of, 314
- Carr, Thomas, Fellow of Trinity, admission as Senior, 63 and note 1; death of, 431
- Cartmell, James, Fellow and, later, Master of Christ's, and Prince Albert's election as Chancellor, 112; and appointment of Royal Commission, 225, 227-233; and Statutes Revision Syndicate, 241-242
- Carus, William, Vicar of Holy Trinity, 405, 407, 430
- Catholic Emancipation Act, 86
- Caucus Club, 319
- Cautions, recommendation of Statutes Revision Syndicate about, 246
- Cayley, Arthur, 384
- Chafy, William, Fellow and, afterwards, Master of Sidney, and the election of a Master in 1807, 9, 11-14, 16, 17; hospitality of, 374, 401; and Family dining club, 399; *see also* 42
- Chancellor of the University, conception of his duties, 98; influence of political considerations in choice of, 98; duties of his Secretary, 200 note 1; *see also* Duke of Gloucester, Marquess Camden, Duke of Northumberland, Prince Albert
- Chancellor, Court of, power and composition, 29, 129-130, 132, 137, 138; objection taken to, 129-130; jurisdiction impaired by Act of Parliament, 130, 133
- Chancellor's medals, 66
- Chancery, Court of, and Downing College, 2, 7
- Chapman, Benedict, Master of Caius, at installation of Prince as Chancellor, 120; and the Royal Commissioners, 235-236; death of, 265
- Charles II, Letters of, about Honorary degrees, 152; and Regius Professorships of Greek and Hebrew, 291; rescinding of, 303, 304, 307
- Chemistry, discouragement of, 179 note 1
- Chemistry, Professorship of, *see* Professorships
- Chester, Bishop of, *see* Graham, John
- Christ's College, Roman Catholics exempted from chapel at, 83 note 2; reform of statutes, 189, 273
- Christian, Edward, Downing Professor of Laws of England, and the dispute about Professorship of Mineralogy, 37
- Christie, Edward, M.P., and University reform, 105, 106
- Church of England, and the University, 21, 83-85, 89-90, 99, 100, 168, 253
- Civil Law, Bachelors of, *see* Degree Courses
- Civil Law, Regius Professorship of, *see* Professorships
- Clare College, Master of, and Downing College, 2, 6
- Clark, W. G., Fellow of Trinity, and revision of Statutes, 332
- Clarke, E. D., Professor of Mineralogy, early career, 31; success as a lecturer, 31, 32, 177-178; given title of Professor and stipend, 31-32
- Classical Tripos, establishment of, 65-71; qualifications of candidates for, 168; candidates for, 180 note 2; changes in, 216-218; 279, 281; and Studies Syndicate, 279, 281
- Clayton, Charles, Tutor of Caius, 405
- Colleges, conflicting interests with Uni-

- versity, 65, 280; and the religious tests, 90-91, 93, 94; nomination of Taxors, 128 note 3; and medical instruction, 3, 161; and Royal Commissioners, 262-264, 267; proposals for taxation of, 262, 267, 356-357, 365; and Lord Palmerston's letter (Dec. 1853), 276-277; and Statutory Commissioners, 339-340, 344, 360; meeting of Governing Bodies of, 360-361; condition of smaller, 385-386; *see also* Statutes
- Commencement, 337
- Commissary, the, and the fairs, 129, 137; without duties, 315
- Commission, Cambridge Statutory, Bill of 1855 for, 43-52, 283-284; opposition to, 43-52, 284; Bill of 1856 for, 52, 284-288, 312-313, 316-317; fear of, 267; and the revised University Statutes (1857), 319-323, 331-334; and the revised University Statutes (1858-1861), 334-338; and the Colleges, 339-340, 344, 360; and Trinity College, 344, 349-372
- Commission, Oxford Statutory, 43, 45, 278, 279, 283, 284
- Commission, Royal, and the Statutes Revision Syndicate's scheme for Council of the Senate, 42, 44-47, 258; and the dispute between Town and University, 131-132; petition for a, 209-210; appointment of, 221-233; press opinion on appointment of, 224-225; report of, 258-267; and the Statutes Revision Syndicate, 258; and the three Regius Professorships, 304-305
- Commorantes in Villa, 253
- Compounders, 249-251
- Congregation, 319, 321
- Convocation, 319
- Cooke, William, brings circus to Cambridge, 128 and note 1
- Cookson, H. W., Master of Peterhouse, timidity of, 215; and Statutes Revision Syndicate, 241, 255-256; and the Bill for Cambridge Statutory Commission, 283
- Corporation Act, repeal of, 85
- Corpus Christi College, famous for its beer, 386
- Corrie, G. E., Norrisian Professor, and, afterwards, Master of Jesus, and the Voluntary Theological Examination, 170 note 2, 172, 173; and statutory reform, 189; appointed Master of Jesus, 234; extreme Tory views, 234; dislikes Prince Albert, 234-235; hostility towards the Royal Commissioners, 235; and Statutory Commission, 339
- Council of the Senate, *see* Senate
- Cowling, John, deputy High Steward, appointed Statutory Commissioner by 1855 Bill, 46 note 3; his opinion of Court Leet, 128
- Cranworth, Lord, Lord Chancellor, and 1855 Bill for Statutory Commission, 43-44, 46-48, 50-52, 283-284
- Craven Scholarship, and Statutory Commissioners, 336
- Creation, 249, 253
- Crick, Thomas, Public Orator, and the election of Prince Albert as Chancellor, 111, 119; at installation of Prince, 120
- Cumberland, Duke of, visit to Cambridge, 401-402, 403 note 1
- Cumming, James, Professor of Chemistry, attendance at his lectures, 178, 179 note 1
- Darwin, Charles, opinion of Henslow's lectures, 178; signs petition for Commission, 210
- Darwin, Erasmus, signs petition for Commission, 210
- D'Aumale, Duc, and attendance of son at chapel, 83 note 2
- Davie, John, Fellow of Sidney, and the election to the mastership of Sidney in 1807, 13
- Davies, John, Fellow of Trinity, and the election to the mastership of Sidney in 1807, 16
- Davies, J. Ll., Fellow of Trinity, 345
- Davy, Martin, Master of Caius, and the Professorship of Mineralogy, 35 note 1; and the religious tests, 93 and note 4; and disqualification of Thackeray for medical degree, 162; and Cockerell's Building, 186 note 1; and Family dining club, 399

- Degree Courses:  
 Bachelor of Arts (Honours), 149-150, 154; changes in, 149-152, 157-160, 172, 282-283; effect of changes on professorial lectures, 179; and Royal Commissioners, 260  
 Bachelor of Arts (Ordinary), 154; low standard of, 65, 151, 159; taken by majority of undergraduates, 65 and note 2, 151; changes in, 70, 158-159, 172, 207-213; effect of changes on professorial lectures, 178; and Royal Commissioners, 260  
 Bachelor of Civil Law, requirements for, 152, 154, 166; changes introduced, 166, 207-213; recommendations by Studies Syndicate, 279-280  
 Bachelor of Divinity, Ten-Year men, 153-154, 166-167, 245-246, 337  
 Bachelor of Medicine, requirements for, 152, 154; changes in, 160-166  
 Doctor of Divinity, taken *per saltum*, 247; and recommendation by Statutes Revision Syndicate, 247  
 Doctor of Medicine, 165  
 Master of Laws, establishment of, recommended by Studies Syndicate, 280  
 Degrees, duties paid on admission to, 262-263  
 Degrees, Hon., 152-153, 167: recommendations of Statutes Revision Syndicate about, 246-247; and Statutory Commissioners, 338  
 Degrees mandate, 246, 338  
 Denman, George, and Parliamentary election of 1856, 418  
 Deputy High Steward, 128, 315  
 Derby, Earl of, and the religious tests, 91; and Statutory Commission, 267-268; resignation of, 271  
 de Rothschild, Alfred, exempted from attendance at Trinity chapel, 83 note 2  
 de Rothschild, Baroness Mayer, 382  
 Discommuning, 126, 130, 132, 137  
 Dissenters, and admission to degrees, 73, 83-94, 149; petitions to Parliament for redress of grievances, 86  
 Divinity, Bachelor and Doctor of, *see* Degree Courses  
 Divinity, Professorships of, *see* Professorships  
 Doctors, and the Caput, 29, 238  
 Doddridge, Philip, and his seminary for Dissenters, 73  
 Downing College, foundation and early history, 1-7; charter and statutes of, 1-4, 6; Court of Chancery and, 2, 7; fellowships of, 2-7; scholarships of, 4-5; condition of, 352, 386  
 Downing College, Master of, appointment of, 2, 264; and the Downing Professors, 2-4; and election of Fellows, *ibid.*  
 Downing, Sir George, 1-2, 6  
 Downing, Sir Jacob, 1-2  
 Downing, Lady, 2  
 Drinking at University, 87, 397-398  
 Dundas, Lawrence, undergraduate of Trinity, death of, 59-60  
 Earle, Chief Justice, 381  
*Edinburgh Review*, attacks on Universities, 148  
 Edinburgh University, 149  
 Edleston, Joseph, Fellow of Trinity, and the 1855 Bill for Statutory Commission, 52 note 5; and election of Thompson to Regius Professorship of Greek, 307-311; and statutory reform, 343; *see also* 332  
 Edward II grants charter to University, 122  
 Electoral Roll, the first, 314  
 Elizabeth, Queen, gives charter to University, 124, 130; and Westminster School, 341  
 Elliston, William, Master of Sidney Sussex College, death of, 8-9; his career, 8 and note 1  
 Ely, Bishop of, as Visitor of Trinity, 192-194; canvassed by Christopher Wordsworth, 298  
 Ely, Canonries of, annexed to Greek and Hebrew Professorships, 182; proposed annexation to new Divinity Professorships of, 280, 281: value of, 308

- Emmanuel College, gentlemanly character of, 386
- Entrance Examination (1) for Colleges, 154, 167-168; (2) for University, refusal to establish, 154, 167-168, 218-220; not proposed by Royal Commissioners, 260; refused by Statutory Commissioners, 338
- Evangelicals, Cambridge, and the British and Foreign Bible Society, 18-25; strength at Cambridge, 18
- Evans, R. W., Fellow of Trinity, nominated to Seniority, 431-432; non-resident, 433
- Exercises, University, decline of, 149-150; abolition of, for B.A. degree, 159; college, 154; recommendations of Statutes Revision Syndicate about, 245, 268; cautions for, 246; and graduates, 247-248; recommendations of Royal Commissioners about, 258
- Eyres, Charles, signs petition for Commission, 210; *see also* 227 note 3, 228 note 3
- Family dining club, 398-399, 408; smoking allowed at, 408
- Farish, William, Tutor of Magdalene, and Professor, his evangelical opinions, 18; and the British and Foreign Bible Society, 20-24; and taking of oaths, 248
- Farrar, Frederick, Fellow of Trinity, and revision of statutes, 359-360
- Fellows of colleges, lack of occupation, 4, 404-405; characteristics of, 396-398, 405-406; restrictions on their freedom, 406-408
- Fellow Commoners, and chapel attendance, 389, 414; privileges of, 414-415; numbers of, 415
- Fellowships, characteristics of Downing, 4-5; general mode of awarding, 5; appropriation of, 5; county restrictions of, 6; and marriage, 6; recommendations of Royal Commissioners about, 263-264; Statutory Commissioners and, 343-349, 350, 355-371
- FitzClarence, Augustus, Fellow Commoner at Trinity, 375
- Fitzwilliam, Earl, votes for Lord Powis as Chancellor, 116
- Fitzwilliam Museum, erection of, 140; dispute about hanging of pictures in, 141-147
- French, William, Master of Jesus, and the Professorship of Mineralogy, 33-38; controversy with Adam Sedgwick, 38-39; and the Previous Examination, 68-69; and establishment of Classical Tripos, 70-71; not on friendly terms with Christopher Wordsworth, 70; thinks of Prince Albert for the Chancellorship, 108; candidate for Lucasian Professorship, 184; on committee for revising University Statutes, 196; and the Regius Professorship of Greek, 296
- Gambling at University, 87 and note 1
- Geldart, J. W., Professor of Civil Law, and the law course, 166
- Geldart, T. C., Master of Trinity Hall, and the Fitzwilliam dispute, 145-146; his dinners as Vice-Chancellor, 374
- General Council of Studies recommended by Royal Commissioners, 259
- Geology, Woodwardian Professorship of, *see* Professorships
- George IV and new court of Trinity, 63
- Gladstone, W. E., on undergraduate life, 91 note 1; and a Statutory Commission, 272
- Gloucester, H.R.H. William Frederick, Duke of, Chancellor of University, and the British and Foreign Bible Society, 23-24; and the Union Society, 27; Beverley's letter to, 86; elected to Chancellorship, 98
- Gloucester, H.R.H., Duchess of, dines in Trinity College, 64 note 1
- Godfrey, Henry, President of Queens', and the Professorship of Mineralogy, 35 note 1
- Gonville and Caius College, and medical instruction, 3; mastership of, 264-266; mathematical successes of, 385; hour of dinner at, 387
- Gorham, G. C., candidate for Professorship of Geology, 183

- Gossett, T. S., Fellow of Trinity, elected to Seniority, 432-433
- Goulburn, Henry, and resignation by Wordsworth of mastership of Trinity, 79; and appointment of Whewell to mastership, 81; death of, 418
- Graces, preliminary discussion of, 319-322, 325-326
- Graham, Sir James, and appointment of Whewell to mastership of Trinity, 82; and the revision of statutes of Trinity, 193-194, 195 note 3
- Graham, John, Master of Christ's, afterwards Bishop of Chester, appointed Statutory Commissioner, 46 and note 3, 288; thinks Lord Powis will not stand for Chancellorship, 109, 110 note 3; and election of Prince Albert as Chancellor, 111, 113; and examination in Theology, 169-171; appointed Master of Christ's, 189; on committee for revising University Statutes, 196-197; Prince Albert advises Philpott to co-operate with, 205-206; appointed a Royal Commissioner, 232; candidate for Regius Professorship of Divinity, 298-300
- Great St Mary's, meetings of Heads at, 30; Magna Congregatio held in, 123; tenable with Trinity fellowship, 368, 370; sermons at, 394-396
- Greek, Regius Professorship of, *see* Professorships
- Green, John, Fellow of Sidney, and the election of a Master in 1807, 9-15, 17
- Greenwood, R. H., Fellow of Trinity, 398
- Grey, Earl, and the religious tests, 90, 95; and University reform, 95
- Grote, John, election as Senior, 312; and revision of statutes, 332, 343, 347, 369
- Guest, Edwin, Master of Caius, and Cockerell's Building, 186 note 1; elected Master, 266; attendance at University sermons, 396
- Gunning, Henry, his account of the election to the mastership of Sidney in 1807, 16 and note 3; and the election of Prince Albert as Chancellor, 120 and note 3
- Hailstone, J., Fellow of Trinity, and the election to the mastership of Sidney in 1807, 14, 16
- Hallam, Henry, and appointment of Royal Commission, 226 note 1
- Hardwicke, Philip Yorke, second Earl of, and High Stewardship, 8
- Hardwicke, Philip Yorke, third Earl of, High Steward, and British and Foreign Bible Society, 23
- Hardwicke, Charles Philip Yorke, fourth Earl of, and the Pitt Press Bible, 402
- Hare, J. C., Fellow of Trinity, his opinion of Thirlwall's pamphlet, 75; and H. J. Rose, 75 note 5
- Hare, Mrs, and her husband's pictures in Fitzwilliam Museum, 142
- Harper, F. W., 211
- Haviland, John, Regius Professor of Physics, and Professorship of Mineralogy, 37; and the religious tests, 88; reform of medical course, 160-166; and the Statutes Revision Syndicate, 214; and Family dining club, 399
- Hawkins, Francis, Fellow of Trinity, and revision of statutes, 347
- Heads of Houses, attacks on, 29-57; their powers under the Elizabethan Statutes, 29, 57, 156; meetings of, 29-30, 44; social exclusiveness of, 30; and Chancellor's Court, 29; and office of Vice-Chancellor, 29-30; and right of nomination, 29-41, 44, 45, 49 note 1, 253, 314; and the Council of the Senate, 45, 47-48; powers in their colleges, 45; regulations issued by, 126-127, 137, 374; interpretations by, 29, 162-163; their fear of reforms, 203; and the Caput, 29, 238; recommendations by Royal Commissioners, 264
- Heath, J. M., Tutor of Trinity, 409
- Hebrew, examination in, 174
- Hebrew, Regius Professorship of, *see* Professorships
- Hebrew, Voluntary Examination in, 174
- Hedley, Thomas, Junior Dean of Trinity, and sermons in College Chapel, 394
- Henry III grants charter to University, 123



- Henry VI orders banishment of prostitutes from Cambridge, 124 note 2
- Henry VIII founded the five Regius Professors in 1540, 289 and note 1
- Hensley, L., and Trinity fellowship election of 1846, 425
- Henslow, J. S., and Professorship of Mineralogy, 32-39, 40, 41; appointed King's Professor of Botany, 39-40; resumption of lecturing by, 177-178; absentee, 181 note 4; signs petition for Commission, 210
- Heresy Board, 317, 318, 321-323, 335, 337
- Herschel, Sir John, and the 1855 Bill for Statutory Commission, 44-45, 48-50; declines to serve as Statutory Commissioner, 46 note 3; and Mathematical Tripos, 157; appointed a Royal Commissioner, 232
- Hewett, Cornelius, Downing Professor of Medicine, and the religious tests, 88, 89, 92, 93 note 4
- Heywood, James, and a petition for a Commission, 210; proposes appointment of Royal Commission, 221-224; and the Statutory Commission Bill, 286
- High Steward of University, Lord Hardwicke and Lord Sandwich candidates for post of, in 1764, 8; conception of duties of, 98; choice influenced by political considerations, 98; his Court Lect, 128; without duties, 315: *see also* Deputy High Steward, Earl of Hardwicke, Duke of Northumberland and Lord Lyndhurst
- Hodgson, William, Master of Peterhouse, his dinners as Vice-Chancellor, 374
- Holden, John, Tutor of Sidney Sussex College, 8
- Hole, R., Fellow of Trinity, occupies Newton's rooms, 435
- Hope, A. J. Beresford, supports Lord Powis for Chancellorship, 114
- Hopkins, William, of Peterhouse, his success as a private tutor, 411-412
- Hort, Fenton, and revision of college statutes, 345
- Hosking, Thomas, Fellow of Sidney, and the election of a Master in 1807, 9, 12-14, 16-17
- Hostels, and Royal Commissioners, 263, 284; and Council of the Senate, 316; and Senate, 317; and Statutory Commissioners, 318, 334
- Hotham, H. J., Fellow of Trinity, 332, 434
- Houghton, Lord, and Union Society, 26
- Irish Church Temporalities Bill, 86
- James I, and the religious tests, 90 and note 2, 92; and arrest of prostitutes in Cambridge, 124 note 2; and Regius Professorship of Divinity, 291
- Jameson, Francis, conflict as Pro-Proctor with Vice-Chancellor, 376-380
- Jebb, John, 154-155
- Jekyll, Sir Joseph, and the Visitor of Trinity College, 193
- Jephson, Thomas, Fellow of St John's, and Professorship of Mineralogy, 37-38
- Jeremie, J. A., Regius Professor of Divinity, and the Royal Commissioners, 236; elected to Professorship, 305 note 1; attendance at University sermons, 396
- Jesus College, reform of statutes, 189; mastership of, 264; and Statutory Commission, 339; numbers at, 385, 386; fighting men at, 418
- Jews, exempted from chapel at Magdalene, 83 note 2; exempted at Trinity only as act of grace, *ibid.*
- Jones, Richard, Professor at King's College, London, and Whewell's appointment to mastership of Trinity, 81, 82 and note 1
- Jowett, Henry, Tutor of Magdalene, evangelical opinions of, 18
- Jowett, Joseph, Tutor of Trinity Hall and Professor of Civil Law, evangelical opinions of, 18; and the British and Foreign Bible Society, 20-21
- Kaye, John, Master of Christ's, and establishment of Classical Tripos, 70-71; supports Lord Lyndhurst for High Stewardship, 104-105; and examination for Ten-Year men, 167; his election to Regius Professorship of Divinity, 293-295; 296, 301; resumption of lecturing by, 177

- Keble, John, assize sermon of, 86  
 Kelly, Sir Fitzroy, 381  
 Kemble, John, 397  
 Kempe, Emma, 381  
 Kempe *v.* Latimer Neville, 380-382  
 King, Charles, Fellow of Trinity, and statutory reform, 343  
 King, Joshua, President of Queens', and the religious tests, 88, 92; supports Lord Powis for election as Chancellor, 111; and Regius Professorship of Divinity, 297 note 5, 300: *see also* 201 note 5  
 King's Bench, Court of, and Professorship of Mineralogy, 37-38  
 King's Book, 250  
 King's College, relinquishment of peculiar privileges of Scholars of, 236-237; Composition between University and, 237 note 1, 249; conciliatory attitude towards Statutory Commissioners, 339; Provost of, and statutory reform, 188 note 2  
 Lamb, John, Master of Corpus, not nominated for Vice-Chancellorship, 49 note 1; objected to as member of Statutes Revision Syndicate, 214-215  
 Lambert, James, Fellow of Trinity, and the election to the mastership of Sidney in 1807, 16; opposes building of King's Court of Trinity, 61; and the election to Regius Professorship of Divinity in 1816, 293; death of, 62-63  
 Land Tax, dispute between Town and University over apportionment of, 131, 137  
 Lang, John, expelled from Trinity as freshman, 392  
 Lansdowne, Marquess of, and the election of Prince Albert as Chancellor, 107, 112-114, 118 note 3; presents statue of Barrow to college, 436-439  
 Latham, Henry, Tutor of Trinity Hall, and Statutory Commissioners, 352  
 Law, Bachelor of Civil Law, *see* Degree Courses  
 Law, Regius Professorship of Civil Law, *see* Professorships  
 Law School, state of, at beginning of nineteenth century, 3 and note 2, 152; in middle of century, 166; hindrances to development of, 244-245  
 Law Tripos, 279-281  
 Laws of England, Downing Professorship of, *see* Professorships  
 Laws, Master of, *see* Degree Courses  
 Lax, William, Lowndean Professor of Astronomy and Geometry, neglect of duties by, 175  
 Leapingwell, George, Esquire Bedell, 396  
 Le Blanc, Thomas, Master of Trinity Hall, and the Professorship of Mineralogy, 35 note 1; advises Sedgwick to accept Canonry, 232-233  
 Lecture-rooms, insufficiency of, 184-186; recommendations by Royal Commissioners, 262-263  
 Lectures, difference between professorial and college, 179  
 Lefevre, John, appointed Statutory Commissioner by 1855 Bill, 46 and note 3  
 Lewis, George Cornewall, signs petition for Commission, 210  
 Librarian, University, mode of appointment, 29  
 Library, erection of Cockerell's Building, 185-186  
 Lichfield, Bishop of, appointed Statutory Commissioner, 288  
 Lightfoot, J. B., Fellow and Tutor of Trinity, opposes 1855 Bill for Statutory Commission, 50 note 1; and the exemption of Alfred de Rothschild from attendance at Trinity chapel, 83 note 2; and revision of college statutes, 345-346; and the meeting with Statutory Commissioners, 362  
 Lind, Jenny, visit to Cambridge, 127 note 3  
 Littledale, Mr Justice, and the issue by University of ale-house licences, 125  
 Lodge, John, Tutor of Magdalene, 409  
 Lodging-houses, undergraduates in, 58-59; objections to, 59-60; control of, 59-60; and Royal Commissioners, 263  
 London, University of, and the granting of degrees, 89 note 1  
 Luard, H. R., Fellow of Trinity, and revision of statutes, 330, 332, 358

- Lunn, Francis, and Professorship of Mineralogy, 37
- Lushington, F., and Trinity fellowship election in 1846, 425
- Lushington, Stephen, and election to Regius Professorship of Divinity in 1816, 294-295, 300
- Lyell, Sir Charles, signs petition for Commission, 210; and appointment of Royal Commission, 226 note 1
- Lyndhurst, Lord, and the 1855 Bill for Statutory Commission, 51; elected High Steward, 99-100, 102-105; aspersions on, 100 and note 1, 105 and note 2; and the office of deputy High Steward and Commissary, 315: *see also* 279
- Lyttelton, Lord, candidate for High Stewardship, 98-105; academic career, 99; political opinions of, 99; opinion of Classical Tripos, 216-217
- Maberly, F. H., and death of L. Dundas, 59-60
- Macaulay, Thomas Babington, refuses to serve as Statutory Commissioner, 46 note 3; favours appointment of Royal Commission, 220; advocates erection of statue to Bentley, 437-438: *see also* 50
- Magdalene College, evangelicalism of, 18, 386; exemption of Roman Catholics and Jews from attendance at chapel at, 83 note 2; mastership of, 264; hour of dinner at, 387; fighting men at, 418
- Magna Congregatio, 123-124, 132, 133, 136-137
- Maine, Henry, Professor of Civil Law, 166
- Mansel, William Lort, Master of Trinity, and the election to the mastership of Sidney in 1807, 10, 16-17; and British and Foreign Bible Society, 23-24
- Mansfield, John, and Trinity fellowship election of 1838, 425
- Marsh, Herbert, Lady Margaret Professor of Divinity, and the British and Foreign Bible Society, 19-20, 23-24; resumption of lecturing by, 175, 177
- Marshall, Miss Cordelia, marries Whewell, 81
- Martin, Francis, Senior Bursar of Trinity, thought likely to become Master, 79, 81, 82; and the election of Prince Albert as Chancellor, 114; and the revision of Trinity statutes (1844), 195; and University entrance examination, 219; and Statute XLI, 305, 307, 329-331, 333; and the meeting with Statutory Commissioners, 362; and smoking in Combination Rooms, 407; and fellowship dividends, 427
- Martyn, Thomas, Professor of Botany, death of, 39; and King's Professorship of Botany, 39-40
- Mathematical Tripos, fellowships awarded on, 5; history of, 149-152; changes in, 157-160, 172, 199 and note 1; and professorial lectures, 179, 181, 208
- Mathematics, Lucasian Professorship of, *see* Professorships; Board of, *see* Board
- Mathison, W. C., Tutor of Trinity, and the attendance of a Hindu at Trinity chapel, 83 note 2
- Matriculation, at Oxford, 83 note 1; at Cambridge, 83, 248, 249; duties payable on, 263
- Maurice, Frederick Denison, supports Lord Lyttelton for High Stewardship, 103-104
- Medicina, ad practicandum in*, 164-165
- Medicine, Bachelor and Doctor of, *see* Degree Courses
- Medicine, Downing Professorship of, *see* Professorships
- Medicine, School of, at beginning of nineteenth century, 3, 88; in middle of, 166; improvements by Haviland, 160-166; hindrances to development of, 244
- Melbourne, Lord, and reform of college statutes, 187
- Mesman, Daniel, 383
- Midsummer Fair, *see* Barnwell Fair
- Mill, W. H., tractarian opinions of, 298, 405; candidate for Regius Professorship of Divinity, 300-301; elected Regius Professor of Hebrew, 304
- Miller, W. H., Professor of Mineralogy, and the Fitzwilliam dispute, 145
- Milner, Isaac, President of Queens', and

- evangelical party, 18; and the British and Foreign Bible Society, 20-21, 23-25; extreme toryism of, 21: *see also* 77
- Mineralogy, Professorship of, *see* Professorship
- Moderators, 159, 180, 204
- Monk, J. H., Regius Professor of Greek and Fellow of Trinity, and the establishment of the Classical Tripos, 67 and note 1, 68, 70; hope of becoming Master of Trinity, 67 note 1; and the Professorship of Greek, 70 note 1, 295-296; statement about the Caput, 92 note 1; and theological instruction, 168; error in his life of Bentley, 194-195; becomes Dean of Peterborough, 295
- Monteagle, Thomas Spring Rice, Lord, appointed Statutory Commissioner by 1855 Bill, 46 and note 3; attends conference on 1855 Bill, 51; and the religious tests, 90; and Prince Albert's election as Chancellor, 112 and note 3
- Moral Philosophy, Knightbridge Professorship of, *see* Professorships
- Moral Sciences Tripos, establishment of, 208-213; recommendation by Studies Syndicate, 279-281
- Munro, Hugh, Fellow of Trinity, and revision of college statutes, 347
- Museums, unsatisfactory condition of, 184-186; recommendations by Royal Commissioners, 262-263; Syndicate on, 268-269; report of Syndicate, 274
- Musgrave, Thomas, Fellow of Trinity, afterwards Archbishop of York, and the religious tests, 89, 92 note 3, 95; favours appointment of Royal Commission, 220: *see also* 206 note 1, 431
- Music, Professorship of, *see* Professorships
- Natural Sciences Tripos, establishment of, 208-213; recommendation of Studies Syndicate, 279, 281
- Nelson, Lord, Chairman of Lord Powis' Committee, 117
- Neville-Grenville, Hon. George, Master of Magdalene, and the Professorship of Mineralogy, 35 note 1
- Newcastle, Thomas Pelham-Holles, Duke of, activity as Chancellor, 121
- Newton, Sir Isaac, rooms in college, 434-435; his statue in Trinity Chapel, 436
- Noblemen, 152-153; required to pass an examination, 167; and chapel attendance, 389, 414; privileges of, 414; numbers of, 415
- Northumberland, Duke of, elected Chancellor, 98, 101, 103; previously High Steward, 102; and Lord Camden's visit to Cambridge, 402-403
- Oaths, taken by Town officials, 122-123, 132, 133, 137; at matriculation, 248-249; by recipients of degrees, 248, 249
- Observatory, 184
- Of a Liberal Education*, book by Whewell, 198-199
- Okes, Richard, Provost of King's, and the Royal Commissioners, 235 note 3; and privileges of Scholars of King's, 237; and the appointment of University Treasurer, 252; and reports of Statutes Revision Syndicate, 254, 257; his pleasantries about the Proctors, 374: *see also* 375
- Okes, William, Fellow of Caius, and the Professorship of Mineralogy, 38 note 1
- Ollivant, Alfred, elected Regius Professor of Divinity, 300-301
- Opponency, *see* Exercises
- Orator, University, mode of appointment, 29
- Owen, Mr., disqualified for election to Trinity Seniority, 430-431
- Oxford, University of, matriculation at, 83 note 1; and *Edinburgh Review*, 148; and the Royal Commission, 230; and admission to Cambridge degrees, 249, 253, 270; Statutory Commission for, 43, 45, 278-279, 283, 284; scholarships at, 347; fellowships at, 385
- Paget, George, of Caius, refuses to serve on Fitzwilliam Syndicate, 145; and Mastership of Caius, 266: *see also* 383
- Palmer, Roundell, and Regius Professorship of Divinity, 298-300
- Palmerston, Viscount, and the 1855 Bill

- for Statutory Commission, 48; and the religious tests, 91; represents University in Parliament, 97 note 3; and the dispute between Town and University, 136; and his letter to Prince Albert (December 1853), 274-276; and the Bill for Statutory Commission, 285
- Parkinson, Stephen, of St John's, success as a private tutor, 411
- Patteson, Sir John, arbitrates between University and Town, 136-138; and Statutes Revision Syndicate, 255
- Peacock, George, and the 1855 Bill for Statutory Commission, 44, 45, 48, 49, 50; and the religious tests, 92 note 3; appointed Lowndean Professor, 80; and the Mathematical Tripos, 157; neglect of professorial duties, 177, 201 note 5; reforms proposed by, 197; co-operates with Philpott, 205-206; appointed a Royal Commissioner, 232; appointed Statutory Commissioner, 288; activities as Statutory Commissioner, 361; and Romilly's wine party, 397; refuses nomination to Seniority, 432
- Pearson, Edward, former Fellow of Sidney, and election of a Master in 1807, 9, 12; elected Master, 17
- Peel, Sir Robert, and resignation of Christopher Wordsworth, 79; and appointment of Whewell to mastership of Trinity, 81-82; and the religious tests, 93; supports Lord Lyndhurst for High Stewardship, 105 and note 2; and the election of Prince Albert as Chancellor, 113-114, 117-119; his opinion of Philpott's and Whewell's reform proposals, 201-202; and appointment of Royal Commission, 226 note 1
- Pemberton, Thomas, and Regius Professorship of Divinity, 298-300
- Pennington, Sir Isaac, Regius Professor of Physic, 162
- Perowne, Edward, of Corpus, appointment as Pro-Proctor, 378-379
- Perry, Charles, Fellow of Trinity, and theological instruction, 169, 171 note 4: *see also* 392
- Peterborough, regulations of cathedral, 295
- Peterhouse, abolishes restriction on fellowships, 189; mastership of, 264; and mathematics, 385
- Petty, Lord H., represents University in Parliament, 97 note 3
- Phelps, Robert, Master of Sidney, at installation of Prince Albert as Chancellor, 120; and the Fitzwilliam dispute, 145; co-operation with Prince Albert in reform, 203-204, 206, 209-210; and University entrance examination, 218
- Philpott, Henry, Master of St Catharine's, his influence in the University, 48, 147, 201; co-operation with Prince Albert, 48, 147, 200-206; and the 1855 Bill for Statutory Commission, 51 and note 2, 55 note 3, 283-284; disappointment at withdrawal of Bill, 52; and election of Prince Albert as Chancellor, 109-111, 117-120; his relations with the Town, 131-132, 134, 135, 138; defends establishment of Natural and Moral Sciences Triposes, 212-213; and the Classical Tripos, 217-218; and University entrance examination, 218-219; and Statutes Revision Syndicate, 241, 255, 257; and the Studies Syndicate, 274, 280-281; and the 1856 Bill for Cambridge Statutory Commission, 285; appointed Vice-Chancellor again, 314; in favour of abolishing offices of Deputy High Steward and Commissary, 315; and the conflict between Vice-Chancellor and Proctors, 376, 379
- Phipps, Sir C. B., private secretary of Prince Albert, doubts about Prince's election as Chancellor, 114; and the notification of the Prince's election, 118-119
- Physic, Regius Professorship of, *see* Professorships
- Physicians, College of, and medical degrees, 88; fellowships of, 90
- Pirie, William, and Trinity fellowship election of 1838, 425
- Pitt Press Bible, 402
- Pleydell-Bouverie, Edward, introduces bill for Cambridge Statutory Commission, 284, 286

- Pleydell-Bouverie, William, Earl of Radnor, *see* Radnor
- Pollock, W. F., supports Lord Powis for Chancellorship, 115
- Postlethwaite, Thomas, Master of Trinity, and fellowship examination, 424
- Powell, William Samuel, Master of St John's, and college examinations, 154-155
- Powis, Lord, stands for the Chancellorship, 108-117
- Praelectors, 354, 363, 364, 366-367
- Prevention of Cruelty to Undergraduates, Society for, 392-393
- Previous Examination, establishment of, 68-69; criticism of, 167, 216; changes in, 172, 216; and professorial lectures, 178; and Royal Commissioners, 259, 262; and Studies Syndicate, 280-281; additional subjects introduced in, 282; *see also* 70, 161
- Price, Bonamy, and petition for a Commission, 210
- Proctors, tenure of office, 316, 318; and oath taken by Mayor and Bailiffs of Cambridge, 122; and oath taken at Magna Congregatio, 123; and arrest of prostitutes, 124, 132, 134-135, 137-138, 374, 380-382; and ale-houses, 126; and the Caput, 238; cycle of appointment, 253; recommendations of Royal Commissioners about, 258; recommendations by Statutes Revision Syndicate, 268; unpopularity with undergraduates, 374; extension of their duties, 374; conflicts with colleges and Vice-Chancellor, 374-380
- Professors, neglect of duty by, 155-156; resumption of lecturing by, 173, 175-178; good attendance at their lectures, 177-178; decline in attendance at their lectures, 173, 178-179, 180 note 2, 201 note 5, 204; attempts to encourage attendance at, 179-181, 198-200, 206-213; insufficiency of their stipends, 181-183; absenteeism of, 181; increase in stipends of, 182; mode of electing, 183-184; accommodation of, 184-186; lectures to be attended by Poll men, 207-213; recommendations of Royal Commissioners about, 261-262; stipends paid by State, 263; *see also* Professorships
- Professorships
- Anatomy, Professorship of, established by the University, 33, 34 and note 1; Sir John Richardson's adjudication upon, 40, 41
- Arabic, Adams Professorship of, mode of election, 183
- Astronomy and Experimental Philosophy, Plumian Professorship of, increase of stipend, 182
- Astronomy and Geometry, Lowndean Professorship of, George Peacock appointed to, 80; Whewell unsuccessful candidate for, 80
- Botany, Professorship of, established by the University, 33, 34 and note 1, 40; another established by Crown, 40; Sir John Richardson's adjudication upon, 40, 41
- Chemistry, Professorship of, established by the University, 33, 34; mode of election to, 40 note 3
- Civil Law, Regius Professorship of, founded in 1540, 289 and note 1; at beginning of nineteenth century, 3; and teaching of English Law, 3 note 2
- Divinity, Hulsean Professorship of, establishment of, 324-329
- Divinity, Lady Margaret Professorship of, sinecure character of, 155; and Voluntary Theological Examination, 173-174; mode of election, 183; new regulations for, 324-328, 336
- Divinity, Norrisian Professorship of, and candidates for Holy Orders, 168; and note 6; new regulations for, 324-328
- Divinity, Regius Professorship of, founded in 1540, 289 and note 1; sinecure character of, 155, 292; and Voluntary Theological Examination, 173-174; mode of election, 183; and Westminster Abbey, 289; connected with Trinity, 289-291; regulations for, 290-291; rectory of Somersham annexed to, 291-292; value of, 292; election to, in 1816, 293-295; in

- 1827, 296-297; in 1843, 297-301; regulations relaxed by Charles II, 291-292; rescinding of Charles II's letter, 303-304; revision of regulations, 305-307, 329-333, 340-341
- Geology, Woodwardian Professorship of, ceases to be a sinecure, 176; increase of stipend, 182; mode of election, 183; conditions of tenure, 232
- Greek, Regius Professorship of, founded in 1540, 289 and note 1; Ely Canonry annexed to, 182; mode of election, 183; and Westminster Abbey, 289; connected with Trinity, 289-292; regulations for, 290-291, 295; regulations relaxed by Charles II, 291-292; sinecure character of, 292; contest about, 295-296; rescinding of Charles II's letter, 303-304; revision of regulations, 305-307, 329-333, 340-341; election of Thompson to, 305; admission of Thompson to, 306-307; Edleston's appeal to Visitor about, 307-311
- Hebrew, Regius Professorship of, founded in 1540, 289 and note 1; Ely Canonry annexed to, 182; mode of election, 183; and Westminster Abbey, 289; connected with Trinity, 289-292; regulations for, 290-291; regulations relaxed by Charles II, 291-292; sinecure character of, 292; rescinding of Charles II's letter, 303-304; election to, in 1848, 304; revision of regulations, 305-307, 329-333, 340-341
- Laws of England, Downing Professorship of, appointment to, 2; and election of Fellows of Downing, *ibid.*: see also 3
- Mathematics, Lucasian Professorship of, mode of election, 183
- Medicine, Downing Professorship of, appointment to, 2; and election of Fellows of Downing, 2: see also 3
- Mineralogy, Professorship of, supposed establishment of, 32-35, 36, 41; Sir John Richardson's adjudication upon, 40-41; Whewell appointed to, 41, 80
- Moral Philosophy, Knightbridge Professorship of, Whewell's appointment to, 80 and note 3; his lectures as Professor, 80-81
- Music, Professorship of, established by the University, 33-34; mode of election to, 40 note 3
- Physic, Regius Professorship of, founded in 1540, 289 and note 1; a sinecure at beginning of nineteenth century, 3
- Promotion of Christian Knowledge, Society for, its constitution and purpose, 19; episcopal and Church support, 19-20
- Pro-Proctors, appointment of, 59 and note 1
- Pryme, George, Professor of Political Economy, and the religious tests, 88; and the election of Prince Albert as Chancellor, 116; and reform of University and College Statutes, 187 note 3; attendance at University sermons, 396
- Queens' College, stronghold of evangelical party, 18, 183, 386; and statutory reform, 189; and Mathematical Tripos, 385; numbers at, 385-386; Fellows of, 397
- Radnor, William Pleydell-Bouverie, Earl of, and University reform, 95 and note 1, 186-189
- Rates, parochial, University's liability for, 131-133, 136, 137
- Ray Club, 178 note 3
- Red Lion Hotel, meeting-place of Union Society, 26; meeting at, about Professorship of Mineralogy, 35
- Redesdale, Lord, and the 1855 Bill for Statutory Commission, 47
- Reform Bill, 86, 97 and note 3
- Registry, University, mode of appointment, 29; proclaims the markets and fairs, 128-129, 133, 137; duties of, 382-383
- Registry, in Divinity Schools, 383; in King's Old Court, 383; in Pitt Press Buildings, 383; documents in, 383
- Remington, Thomas, Fellow of Trinity, declines to stand for Seniority, 433

- Rendall, F., and Trinity fellowship election of 1846, 425
- Renouard, George Cecil, Fellow of Sidney, and the election of a Master in 1807, 9-12
- Renouard, J. H., Vice-Master of Trinity, and the election to the Mastership of Sidney in 1807, 10, 16
- Revising Syndicate, *see* Statutes Revision Syndicate
- Richard II confirms charter of Henry III, 123
- Richardson, Sir John, and professorships established by the University, 34 note 1, 40-41
- Roman Catholics, exempted from chapel at Christ's and Magdalene, 83 note 2; exempted at Trinity only as act of grace, *ibid.*; not anxious to come to University, 86; hostility of University to emancipation of, 97 and note 1
- Romilly, Sir John, and the 1855 Bill for Statutory Commission, 44, 45, 48, 49, 50; signs petition for Commission, 210; appointed a Royal Commissioner, 232
- Romilly, Joseph, Registrary of the University, opposes 1855 Bill for Statutory Commission, 50 note 1; accused by Christopher Wordsworth of rebellion, 72; at installation of Prince Albert as Chancellor, 120; and the re-hanging of pictures in the Fitzwilliam Museum, 142; and the Mathematical Tripos, 152; in favour of Royal Commission, 227 note 3; and Statute XLI, 305; and admission of Thompson into Regius Professorship of Greek, 307; and Statutory Commissioners, 351; as Registrary, 382-384; and chapel attendance, 392; and elections to Seniority, 432
- Romilly, William, his criticism of dinner at Trinity, 388
- Rose, Hugh James, his University sermon in 1834, 75 note 5; supposed to have encouraged Christopher Wordsworth to proceed against Thirlwall, *ibid.*
- Rothman, R. W., Fellow of Trinity, and smoking in Combination Rooms, 407
- Routh, E. J., of Peterhouse, success as a private tutor, 411
- Russell, Lord John, and election of Prince Albert as Chancellor, 118 and note 3; and University reform, 187 note 3, 203, 206 note 1, 210, 213; proposes appointment of Royal Commission, 220-233; in Lord Aberdeen's Ministry, 271; minatory attitude towards University after Royal Commission, 271-273; and Oxford, 278-279
- Rutland, Duke of, and British and Foreign Bible Society, 24; candidate for Chancellorship, 98
- St Catharine's College and Mathematical Tripos, 385
- St John's College, influence of, in Senate, 47 and note 1, 48 and note 2, 51; supports Lord Powis for the Chancellorship, 108-116; college examinations at, 154-155; successes in Mathematical Tripos, 181, 384-385; reform of statutes, 189-190; appoints additional lecturers and Assistant Tutors, 273; Fellows obliged to proceed to B.D. degree, 326; and Lady Margaret Professorship, 326; and Statutory Commissioners, 340, 360; and rivalry with Trinity, 384-385
- St John's College, Master of, and Downing College, 2, 6
- St Michael's, Cambridge, living of, tenable with Trinity fellowship, 368, 370
- Salvin, Anthony, 274
- Sandwich, Earl of, and High Stewardship, 8
- Scholarships, characteristics of Downing, 4-5; how generally awarded, 5; appropriation of, 5; county restrictions of, 6; peculiar privileges of King's, 236; relinquishment of these privileges, 236-237; and Royal Commissioners, 263-264
- Scholefield, James, Fellow of Trinity, and King's court, Trinity, 63; and the Royal Commissioners, 236
- Scrutators, electors to Caput, 29, 238; cycle for appointment of, 253
- Sedgwick, Adam, and the right of nomination, 30, 33, 40-41; controversy with



- Dr French, Master of Jesus, 38-39; controversy with Whewell, 53-57; and the 1855 Bill for Statutory Commission, 44-46, 48-50; appointed Statutory Commissioner by 1855 Bill, 46 and note 3; election to Professorship of Geology, 183-184; his services as Professor, 57; and Previous Examination, 69; and Connop Thirlwall, 77-78; and R. M. Beverley, 87; and the religious tests, 89, 92 note 3, 93-95; intolerance of, 94 note 2; his views on expediency of a Royal Commission, 95-96, 210 note 4, 228; thinks of Prince Albert for the Chancellorship, 108; activity and success as lecturer, 176, 178; appointed Chancellor's Secretary, 200; appointed Royal Commissioner, 232; his reluctance to serve, *ibid.*; his acceptance of Norwich Canonry, 232; and the report of the Commissioners, 266-267; and the Studies Syndicate, 273; and the 1856 Bill for Statutory Commission, 285; and the admission of Thompson into Regius Professorship of Greek, 307, 311; and the Statutory Commissioners, 339, 346, 347, 359; and the meeting of the Governing Bodies, 361; and the conflict between Vice-Chancellor and Proctors, 379; and smoking in Combination Rooms, 407-408; and elections to Seniority, 432; and status of Barrow, 438-439: *see also* 116
- Schwyn, William, Lady Margaret Professor, 327-328; generosity of, 328 note 5
- Senate, and Statutes revised by Council, 316-318, 322-334; and preliminary discussion of Graces, 319-320, 322-323, 327-329, 333
- Senate, Council of the, scheme of Statutes Revision Syndicate for, 42, 44-47, 255-258; scheme for, in 1855 Bill for Statutory Commission, 43-45, 47-48; scheme for, in 1856 Bill, 286; election of, 314-315; drafting of new statutes (Nov. 1856-Dec. 1857), 315-334; and preliminary discussion of Graces, 319-322, 325-326; and professorships, scholarships and prizes, 316, 324-334; and Statutory Commissioners (1858-1861), 334-338
- Senate House Examination, *see* Mathematical Tripos
- Sermons, Sunday, and graduates, 247-248
- Sex Viri, 316-318, 376
- Sheepshanks, Richard, Fellow of Trinity, his opinion of Christopher Wordsworth, 72; and the election of Seniors, 430
- Sheepshanks Exhibition, 385
- Shilleto, Richard, success as a private tutor, 411-412
- Sidney, John Shelley, Visitor of Sidney Sussex College, and the election to the mastership in 1807, 14-16
- Sidney Sussex College, and the election of a Master, 8-17; statutes of, concerning the mastership, 8 and note 3, 9, 12-13, 15
- Simeon, Charles, and evangelical party at Cambridge, 18; and British and Foreign Bible Society, 22-24
- Sizars, 415-416
- Smith, J. J., of Caius, advocates University entrance examination, 218-220, 338; shortness of terms, 243
- Smith's Prizes, 180
- Smyth, William, Professor of Modern History, decline in attendance at lectures of, 178: *see also* 201 note 5
- Southey, Robert, and the Universities, 148
- Spencer, Thomas, a Senior Fellow of Trinity, 63 note 1, 430
- Spinning House, 381
- Spring Rice, Thomas, Lord Monteaule, *see* Monteaule
- Stanley, Edward George, *see* Derby
- Starkie, Thomas, Downing Professor of Laws of England, reported as not lecturing, 201 note 5
- Statutes of colleges, antiquated character of, 156-157; proposals in Parliament for reform of, 186-188; first attempts at reform of, 188-196: *see also* Commissions, Royal and Statutory
- Statutes, of University, antiquated character of, 156, 186; committee of Heads for revising (1838), 196-197, 214: *see*

- also* Statutes Revision Syndicate and Commissions, Royal and Statutory Statutes Revision Syndicate, appointment of, 42, 214-215; recommendation about the Caput and Council, 42, 238-242, 254-257; meetings of, 215, 237-242, 255-256; reports of, 236, 242-254, 256-257; delay in submitting reports to Senate, 254-255, 257-258; submission of reports to Senate, 268, 270; and report of Royal Commission, 258, 268; and drafts of revised statutes, 315
- Stephen, Sir James, Regius Professor of Modern History, opposed to the Royal Commission, 228-229
- Stirling, James, 385
- Stourbridge Fair, 129, 133, 315
- Studies Syndicate, appointment of, 268-269; reports of, 273-274, 279-280; and the Senate, 281
- Sunday, observance of, 405, 406
- Supremacy, oath of, 84
- Surgeons, College of, fellowships of, 90
- Surgery, licences to practise, 164
- Sykes, Godfrey, and Statutes Revision Syndicate, 242, 255
- Tatham, Ralph, Master of St John's, and the Statutes Revision Syndicate, 241
- Taxors, and supervision of weights and measures, 128, 133; and Stourbridge Fair, 129 note 2; cycle for appointment, 253
- Ten-Year men, 153-154; more required of, 166-167; recommendations of Statutes Revision Syndicate about, 245-246; disappearance of, 337
- Tennant, Smithson, Professor of Chemistry, success as lecturer, 177
- Tennent, Robert, migrates from Trinity to St John's, 422
- Tennyson, Alfred, declines to write Prince Albert's installation ode, 200 note 2
- Terms, keeping of, 243; recommendations by Statutes Revision Syndicate, 243-244; by Statutory Commissioners, 320-322, 324, 335
- Tests, religious, 84 and note 2, 85-94; changes proposed by Statutes Revision Syndicate, 252-253, 270; and the Royal Commissioners, 258-259; and the Statutory Commission, 286, 320-322, 335-336
- Tests Act, repeal of, 85
- Thackeray, Francis, and the Professorship of Mineralogy, 37
- Thackeray, Frederick, disqualified from proceeding to medical degree, 161-163
- Thackeray, George, Provost of King's, and privileges of King's Scholars, 237; *see also* 188 note 2
- Thackeray, William Makepeace, signs petition for Commission, 210
- Theatrical and other entertainments, 127-128, 132, 134, 138
- Theological Tripos, recommended by Studies Syndicate, 279, 281
- Theology, lack of encouragement of, 65-66, 73, 168-169; Wordsworth's attempt to include it in Classical Tripos, 67-69; institution of voluntary examination in, 169-174, 208-209; Licentiates in, 245-246, 258, 268, 270; recommendation by Royal Commissioners, 259, by Studies Syndicate, 279, 281; changes in voluntary examination, 282
- Thirlwall, Connop, Fellow of Trinity, and the admission of Dissenters to degrees, 73-74; forced to resign his Assistant Tutorship by Christopher Wordsworth, 75-78; reconciliation with Wordsworth, 78 note 4; and Romilly's wine party, 397
- Thompson, W. H., Fellow and Tutor of Trinity, opposes 1855 Bill for Statutory Commission, 50 and note 1; and Statutes Revision Syndicate, 239-240; elected Regius Professor of Greek, 305-312
- Thorp, Thomas, Fellow of Trinity, thought likely to become Master, 79; as a Tutor, 388, 409
- Tindal, Nicholas, and Regius Professorship of Greek, 295; and interpretation of Statute XLI, 301-302
- Tozer, John, Fellow of Caius, and the appeal to the Chancellor, 406
- Trinity College, fellowship elections at, 5-6, 424-426; fellowship dividends, 357-358, 426-428; Visitor of, 6, 192-

- 194; and the election of Master of Sidney in 1807, 8-17; influence of, in Senate, 47 and note 1, 48 and note 2, 51; accommodation of undergraduates at, 58 and note 3, 59; building of new court, 61-65; completion of Nevile's Court, 61 and note 6; election and composition of Board of Seniority of, 62, 429-433; teaching of classics in, 67, 150-151, 384; and University Scholarships, 67; and party of reform, 72, 75 and note 4; Hall dinner at, 72, 386-387; chapel services at, Thirlwall's opinion of, 74; Dissenters, Roman Catholics and Jews exempted from chapel only as act of grace, 83 note 2; support of Lord Lyttelton for office of High Steward, 101, 103, 105; annual examinations at, 155; and the Divinity, Greek and Hebrew Professorships, 182, 183, 289-313, 329-333, 340-341; reform of statutes (1844), 190-196, 301-304; Visitor of, 192-194; appeal of the ten Junior Fellows, 5-6, 193; Vice-Master of, and the deposition of Master, 194-195; and tenure of fellowships, 276; Marian draft statutes of, 289-291; right of interpreting Statute XLI, 301-302; and the Statutory Commission, 340-372; and Westminster School, 341-343; value of scholarships at, 357, 363, 364; honorary fellowships at, 358, 362; reputation of, 384; rivalry with St John's, 384-385; chapel attendance at, 388-393; sermons in chapel, 393-396; private keys in, 406; smoking in Combination Rooms, 407-408; Tutors of, 409-410; private tutors when Fellows of, 412; and the public schools, 413
- Trinity College, Master of, powers of, 62; appointed by Crown, 264; traditional hostility to, 349
- Trinity College, Dublin, and admission to Cambridge degrees, 253, 270
- Trinity Hall, Mohammedan exempted from attendance at chapel at, 83 note 2
- Tripes, second, 253
- Trumpington, Vicarage of, tenable with Trinity Fellowship, 368, 370
- Turton, Thomas, Regius Professor of Divinity, afterwards Bishop of Ely, opposes admission of Dissenters to degrees, 73; and Voluntary Theological Examination, 173-174; appoints Corrie to mastership of Jesus, 234; elected to Regius Professorship of Divinity, 297
- Tutors, Assistant, definition of their duties, 74 and note 3; statutory recognition of, in Trinity, 191; insufficient number of, 410
- Tutors, College, and tradesmen of Town, 126-127, 409; their jealousy of Professors, 181, 261-262; duties of, 408-410; insufficient number of, 410
- Tutors, private, attempts to discourage resort to, 179-181, 204, 410; Professors as, 181; largely resorted to, 410; differences between, 410-411; remuneration of, 412-413
- Undergraduates, and British and Foreign Bible Society, 18-25; religious opinions of, 18, discouragement of activities of, 21-22, 24-28, 421; increase in numbers after Napoleonic War, 59; disorderly behaviour of, 104, 116-117, 417-420; classes and schools from which they came, 413-414; ignorance of, 416-417; treated like schoolboys, 421-423
- Uniformity, Act of (1662), 84, 322
- Union Society, suppression of, by Dr Wood, 25-27; its foundation and activities, 25; distinguished membership of, 26-27; Christopher Wordsworth's concessions to, 27
- University, *see* Cambridge, London, Oxford
- University Lecturers, appointment of, recommended by Royal Commissioners, 261-262
- University Scholarships, and classical studies, 66; and Trinity College, 67
- Vansittart, Nicholas, and British and Foreign Bible Society, 24
- Vaughan, Charles, Fellow of Trinity, appointed Statutory Commissioner, 288: *see also* 99
- Vaughan, David, Fellow of Trinity College, 346

- Vice-Chancellor, mode of electing, 16 note 2, 29-30, 44-45, 314; and the Caput, 42, 239-242; and the Council of the Senate, 42-43, 48; 256-257; a Justice of the Peace, 124; and ale-house and wine licences, 124-126, 133-135, 137; and theatrical and other entertainments, 127-128, 132, 134, 135, 138; attempts to relieve him of some of his duties, 197, 251-252, 258; generally proposes a Grace, 218; auditing of accounts of, 251, 252; duties of, 372-373
- Vice-Master of Trinity, and the deposition of Master, 194-195
- Victoria, Queen, visits to Cambridge, 107, 200; and the election of Prince Albert as Chancellor, 111 note 2, 118 note 3; and the appointment of a Royal Commission, 222, 225
- Voluntary Hebrew Examination, 174
- Voluntary Theological Examination, *see under* Theology
- Wale, Alexander, Senior Proctor, 374
- Walker, Richard, Vice-Master of Trinity, occupies Newton's rooms in college, 434-435
- Walmisley, Thomas, Professor of Music, does not deliver lectures, 201 note 5
- Walpole, Spencer, and University Parliamentary election of 1856, 418-419
- Warren, Charles, and election to Regius Professorship of Divinity in 1816, 294, 300
- Watson, Richard, Regius Professor of Divinity, neglect of duties, 155, 175; death of, 293
- Webb, William, Master of Clare, and the right of nomination by the Heads, 35; and election of Prince Albert as Chancellor; 113 note 2; and theological instruction, 170-171; hostility towards Royal Commissioners, 235; treatment of Professor Farish, 248; *see also* 42, 383
- Wellington, Duke of, and the religious tests, 90; and University reform, 188; and the appointment of Royal Commission, 222, 225, 230; visit to University, 400-403
- Westlake, J., Fellow of Trinity and statutory reform, 343
- Westminster Abbey and the three Regius Professorships, 289
- Westminster School and Trinity College, 341-343
- Whewell, William, Fellow and, afterwards, Master of Trinity, as President of Union Society, 26; appointed Professor of Mineralogy, 41; and the controversy over the appointment to Professorship of Mineralogy, 42; gratified by Royal Commissioners' approval of Statutes Revision Syndicate's scheme for Council, 42; and the Bills for Statutory Commission, 43, 284; and the Oxford Statutory Commission, 43, 283; and the meetings of the Heads, 44; controversy with Sedgwick, 52-57; insults William Bateson, 53; and Connop Thirlwall, 75-77; his judgment on Master's action against Thirlwall, 77; appointed Master of Trinity, 79-82; his career before becoming Master, 80-81; his marriage, 81; his lectures as Professor, 80-81, 177; and the attendance of non-Anglicans at chapel, 83 note 2; invites Lord Burlington to stand for High Stewardship, 100; supports Lord Lyttelton for High Stewardship, 99-101, 103; supports Prince Albert for Chancellorship, 106-108, 110, 112-115; arbitrary disposition of, 139; dispute with Fitzwilliam Syndicate, 140-147; his relations with Prince Albert, 147, 198-201; and Voluntary Theological Examination, 172-174; endeavours to encourage attendance at professorial lectures, 173, 179-181; and private tutors, 179-180, 411; and reform of college statutes (1844), 190-196; his proposals for reform, 198-200, 209; Prince Albert advises Philpott to co-operate with, 205-206; defends establishment of Natural and Moral Sciences Triposes, 212; and the Classical Tripos, 216-218; and University entrance examination, 219; and Sedgwick's appointment as Royal Commissioner, 232, 233; and the

- Royal Commissioners, 236; and the Statutes Revision Syndicate, 215, 239-242; and tractarians, 253; and the taxation of colleges, 267; and the Studies Syndicate, 274; and the election to Regius Professorship of Divinity in 1843, 300-301; and Statute XXI, 305-307, 312-313; and admission of Thompson into Regius Professorship of Greek, 309-312; and the Statutory Commissioners, 344-346, 349-352, 358-362, 365-366, 369-370; and the meeting with the Statutory Commissioners, 362; undergraduate parodies on, 392; hospitality of, 398; and the Family dining club, 399; and Parliamentary Election of 1856, 419-420; and elections to Seniority, 433; and Barrow's statue, 437-439
- Whiston, Robert, Fellow of Trinity, 429
- Wilberforce, William, and British and Foreign Bible Society, 23-24
- Wilkins, William, and Trinity College buildings, 61
- Wilkinson, Thomas, Fellow of Trinity, 429, 430
- Williams, Colonel, M.P., and the religious tests, 92 and note 3
- Williams, George, his conflict as Proctor with Vice-Chancellor, 376-380; tractarian opinions of, 405
- Willis, Mrs., visits the Fitzwilliam Museum, 142
- Wine, licensing of sale of, by University, 124-126, 137
- Wood, G. W., M.P., and the religious tests, 92 and note 3, 93-94
- Wood, James, Master of St John's, early life and character, 25; suppresses the Union Society when Vice-Chancellor, 25-27; revives the Magna Congregatio, 123-124
- Woodhouse, Robert, and Mathematical Tripos, 157
- Wollaston, Francis, and the election to the mastership of Sidney in 1807, 10-16
- Wordsworth, Christopher, Master of Trinity, and British and Foreign Bible Society, 19; and the Union Society, 27; Tory and disciplinarian, 28, 63-64, 72-73, 75; and Professorship of Mineralogy, 35 note 1; appointed Master of Trinity, 58; presses for extension of college buildings, 59-65; and the establishment of the Classical Tripos, 65-71; endeavours to promote study of Theology, *ibid.*; not on friendly terms with Dr French, 70; unpopularity as Master, 71-72, 76 and note 5, 77-78; and Connop Thirlwall, 73-78; resignation of, 79-80, 82; his passion for compulsory chapel services, 73, 75, 389-393; his donation to Pigott Fund, 82; supports Lord Lyttelton for High Stewardship, 99, 101-103; and statutory reform, 190; and Regius Professorship of Greek, 296; candidate for Regius Professorship of Divinity, 296-297; and his son's candidature for the Professorship, 297-301; and Augustus FitzClarence, 375; his speeches, 402; and the election of Seniors, 430-433
- Wordsworth, Christopher, Fellow of Trinity and, afterwards, Headmaster of Harrow, thought likely to become Master of Trinity, 79, 81-82; candidate for Regius Professorship of Divinity, 297-301
- Wordsworth, William, composes Prince Albert's installation ode, 200 note 2
- Worsley, Thomas, Master of Downing, and statutes of Downing, 6; and endowments of, 7; and appointment of Whewell to Mastership of Trinity, 80; and Whewell's appointment to Knightbridge Professorship, 80 and note 3; dispute with Whewell about re-hanging of pictures in Fitzwilliam Museum, 142-145; auditing of his accounts, 252
- Worts' Endowment, the, 336
- Wratislaw, A. H., and Statutes Revision Syndicate, 214, 242
- York, Archbishop of, and Downing College, 2, 6: *see also* Musgrave
- Yorke, Philip, and the Civil Law course, 3 note 2