

**AN ANSWER TO THE REMARKS  
AND RECOMMENDATIONS OF  
HER  
MAJESTY'S COMMISSIONERS  
FOR INQUIRING INTO THE STATE**

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An Answer to the Remarks and Recommendations of Her Majesty's Commissioners for  
Inquiring Into the State by Various

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**VARIOUS**

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AN ANSWER  
TO  
THE REMARKS AND RECOMMENDATIONS  
OF  
*Her Majesty's Commissioners*  
FOR INQUIRING INTO THE STATE, &c. OF THE  
UNIVERSITY OF CAMBRIDGE,  
SO FAR AS THEY RELATE TO  
*King's College,*  
ADDRESSED  
TO THE RIGHT HONOURABLE  
LORD VISCOUNT PALMERSTON, G.C.B., M.P.,  
*Her Majesty's Secretary of State for the Home Department,*  
BY THE  
PROVOST AND SCHOLARS  
OF  
KING'S COLLEGE, CAMBRIDGE.

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1854.

TO THE RIGHT HONOURABLE  
LORD VISCOUNT PALMERSTON, G.C.B., M.P.,  
HER MAJESTY'S SECRETARY OF STATE FOR THE  
HOME DEPARTMENT.

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THE Provost and Scholars of King's College in the University of Cambridge, in compliance with a wish expressed by your Lordship's predecessor in office, to the Vice-Chancellor and Authorities of this University, to receive any observations which they might have to make upon the Recommendations contained in the Report of Her Majesty's Commissioners appointed to inquire into the State, Discipline, Studies, and Revenues of the University and Colleges of Cambridge, request your Lordship to receive from them the following Statement.

I. The Provost and Scholars of King's College feel it incumbent upon them to state "in limine," that by the Statutes of their College, every Scholar on his admission to his years of probation in the College is directed to swear, and does swear, that "he will not accept, or consent to, or obey, or use any other Statutes, Ordinances, &c. &c., than those ordained for the College by King Henry VI."

(The original words of the Statute are to be found in page 495 of Volume II. of "Documents relating to the University and Colleges of Cambridge," published by direction of the Commissioners appointed by the Queen to inquire into the State, Discipline, &c., of the said University and Colleges.)

Also, that "he will faithfully obey those Statutes, or submit to the penalties ordained in them for disobedience." (*Documents, &c.*, Vol. II. p. 496.)

II. The Provost and Scholars of King's College state also, that by the Statutes of their College, every Fellow on his admission after his years of probation, is directed to swear, and does swear, amongst other things, to the same effect, and very nearly in the same words, as he did upon his admission into the College as a Scholar: only an injunction to resist and hinder by all possible means the introduction of any other Statutes, &c., is added. (*Documents, &c.*, Vol. II. p. 500.)

III. Also, that "he will maintain the Statutes of both Colleges, King's College in Cambridge, and that of the Blessed Virgin Mary of Eton, and secure the observance of them by others, and, in case of violation of them by himself, undergo the penalty attached to the infringement." (*Documents, &c.*, Vol. II. p. 499.)

IV. The Provost also by the Statutes of the College takes a similar oath in words equally stringent. (*Documents, &c.*, Vol. II. p. 512.)

V. The Provost and Scholars of King's College state also, that by a provision in the Statutes of their College, the Provost, Fellows, and Scholars are for-

bidden to make, or accept, or use any other Statutes than those given to the College by King Henry VI. (*Documents, &c.*, Vol. II. p. 609.)

VI. Also, that in the conclusion of his Statutes "their Royal Founder has expressly forbidden, that after his death any of his Heirs or Successors on the throne of England, or the Bishop of Lincoln, or any Archbishop or Bishop shall make any new Statutes for his College, or enact anything contrary to those he left, or, under any pretext, dispense with any of them; and he again strictly enjoins the Members of his College not to accept, or procure, or use any other Statutes than those that should be in force at his decease." (*Documents, &c.*, Vol. II. p. 618.)

VII. The Provost and Scholars of King's College endeavoured by answers sent to the Queries of Her Majesty's Commissioners, especially in their unreserved Statement regarding the revenues of their College, to shew their compliance with the wishes of Her Majesty's Commissioners, as far as it was considered competent for them according to their Statutes.

They are fully sensible of the advantage afforded them and other Members of the University, by which they have been enabled to exercise their discretion, both in regard of answering the questions propounded to them, and in the method by which any answers they might deem it right to send, were to be conveyed; but they now, with all respect and duty, say that, while they have had no power to change the Statutes of their Founder, and have been forbidden even to consent to



any change of them, the only course hitherto open to the College has been such a general obedience as circumstances would allow. And, while they are persuaded that no undue attempt, such as their Founder has provided against, will be made to impose any new Statutes upon the College, they trust that an opportunity will be given them of fully considering any proposal to alter their Statutes even by legislative authority, with a view to ensure that such alterations may not be contrary to the intent of their Founder, or in any way prejudicial to the good estate of the College.

VIII. The Provost and Scholars of King's College would here stop, being satisfied that they have replied to the request communicated to them by Her Majesty's Secretary of State for the Home Department, in the way apparently most consistent with the restrictions of their Statutes. But a perusal of the Report of Her Majesty's Commissioners for the University of Cambridge, so far as it relates to King's College, has induced them to add these following Observations: for they collect from that portion of the Report, that Her Majesty's Commissioners state that their Statutes are not observed either according to the letter or the spirit: and that it is thence deduced that they ought not reasonably to oppose any change of the constitution given in those Statutes so disregarded by them.

IX. The Provost and Scholars of King's College do not regard this Statement as a personal accusation particularly made against them, that their Statutes are not fulfilled, nor capable of being fulfilled; for it is fre-

quently admitted by Her Majesty's Commissioners in their Report, that many of the precise regulations of early Founders, and of King Henry VI. more especially, cannot practically be enforced, nor complied with in their strictly literal sense.

They also observe with pleasure an admission in p. 173 of the Report, that the relative rights of the various Members of their Body have been preserved. In illustration of this testimony, the Provost and Scholars of King's College think it due to the memory of their predecessors to point out the striking fact, that for upwards of two centuries they cannot be charged with any infraction of their Statutes for the benefit of any individual Members, or in favour of any part of the Fellows to the disadvantage of the others.

They submit that the maintenance of this purity during so many generations, when the College was exempt from any interference from without, should be duly weighed by those who are now passing judgement on so ancient an Institution.

X. The Provost and Scholars of King's College conceive that the several more important particulars of their Statutes, which are stated by Her Majesty's Commissioners not to be observed, are such as concern,

1. The class admitted as Scholars at Eton, and; from Eton, as Scholars for probation at King's College, and, after their probation there, as Fellows. For it is stated that such are not "Pauperes et Indigentes Scholares," according to the words and meaning of the

Founder, but are unduly superior both in wealth and social position.

2. The instruction, which is not according to the Statutes; no Fellows being appointed as Teachers, Bachelors not being instructed by Masters of Arts, nor Masters of Arts by Doctors in Theology; the Undergraduates of the College also depending on extraneous instruction for the ordinary preparation for their first Degree; though in the cases of Civil and Canon Law alone may teachers be statutely obtained from beyond the College.

3. The entering into Holy Orders by the full number of Fellows capable of taking those Orders; none of the Fellows of the College entering into those Orders, unless they be inclined.

4. The higher Degrees in Theology, Law, and Medicine, which are not compulsorily taken, and the Studies of those Sciences and of Astronomy, which are not compulsorily pursued by the number of the Fellows statutely required to take such Degrees and pursue such Studies.

5. The Residence of the Fellows in the College; the same not being enforced, nor kept, according to the Statutes, but relaxed by the Visitor without apparent authority.

6. The prohibition of payment to any Fellow for doing Clerical Duty in any other Church than that of the College.

7. The caution against change or suppression in