[This article, read before the meeting of the Archaeological Institute, at York on July 23rd, 1903, is a continuation of that read at Cambridge in 1892. It was illustrated partly by rubbings, partly by drawings enlarged from engravings in Gardiner's *Student's History of England*, Fairholt's *Costume in England* (3rd Edition), the illustrated catalogue of the National Portrait Gallery, and other sources more particularly specified in the article. So far as time would allow, these engravings have been verified either by inspection, or by correspondence with the custodian or owner of the originals. The references to the *Archaeological Journal* (*A.J.*) are to the paging of Vol. L, in which the former article was printed. "Haines" of course refers to the *Manual of Monumental Brasses*, 1861. I must finally acknowledge my deep indebtedness to the article on the *Pileus Quadratus* by the Rev. N. F. Robinson printed in the 5th Volume of the *Transactions of the St. Paul's Ecclesiological Society*, hereafter referred to as *P.Q.*]

COLLEGE CAPS AND DOCTORS' HATS.

By Professor E. C. CLARK, LL.D., F.S.A.

In the latter part of the fifteenth and the earlier part of the sixteenth centuries there occurred certain changes in academical costume resulting in the development of something very near to its present forms. The tendency of these changes, as far as the body garments are concerned, is, on the whole, to depart from the sacerdotal or ecclesiastical and approximate to the secular character. In the head-dress, which alone is my present subject, diverging developments may be traced. The square college cap is without doubt a descendant of the originally ecclesiastical *pileus*: the Doctor's round hat, which in some cases replaces the college cap, is, if not distinctly a secular introduction, a modification of the *pileus* closely following secular models.

Pileus rotundus.—In tracing the history of the square cap, I must go back for a moment to earlier days, and call your attention to the *pileus* of dignity which, in the fourteenth or even the thirteenth centuries, was

developed out of the ecclesiastical *Calotte* or skull-cap (*A.J.* L. 142, 144), and was something like the old-fashioned man's night cap with a tuft. It was not confined to, nor probably originated for, academicians, but was worn also by certain church dignitaries, *e.g.* Canons or Prebendaries, as such. In these cases it appears sometimes to lack the *apex,* the peak or point, which is generally found in the academical *pileus.*

As a matter of academical use, this *pileus*, usually known as the *pileus rotundus*, was the special distinction of the higher degrees of Doctor or Master. It was not allowed to Bachelors, or to those who seem to be merely Bachelors with an additional permit, Licentiates (*A.J.* L. 78). Moreover, with us in England, except in very early times or where it may perhaps be accounted for on grounds of ecclesiastical dignity, this *pileus* is generally confined, like the term Doctor, to the three Faculties (*A.J.* 146, 199, 205).

The wider use of this *pileus*, beyond the *status* of Doctor, has been much questioned, at least for England. It may therefore be as well to refer a little more definitely to certain debateable cases. In the sixteenth century likenesses of More, Wolsey and others whom I cannot prove to have been either Doctor or Master we have to rely upon the comparatively obscure testimony of *painting.* Still the head-dress does appear to me to be the *pileus*, in its later squarish form, and, in Wolsey's case with an undoubted apex (below 40–41). In the earlier brass of John Strete, Rector of Upper Hardres, Kent (1405), the *pileus rotundus*, perfectly clear and with a definite point, is worn by a person only styled Magister; nor can I ascertain any church dignity borne by him beyond the above. It is however possible, as has been already suggested (*A.J.* L. p. 185) that Master and Doctor were still used, at least in Theology, as convertible terms.

At Tattershall in Lincolnshire there is a fine brass of a figure in cope and, apparently, almuce, wearing a pointed *pileus* of rather late type, somewhat like that of Urswick figured in Haines I. ccxxviii, almost approximating indeed to that of Brassie (below p. 43). This brass was connected by Gough (*Sep.*

Mon. ii. 178) with the inscription on a separate plate referring to W. Moor (died 1456) who was, according to the inscription, a Canon of York (I cannot find him in Le Neve), but only *sacre scripture bacularius.* I learn from the vicar of Tattershall that there are no corresponding indentations or continuous lines of pattern to justify this connexion: but that the old matrices (all the brasses have been removed) point rather to the attribution of Moor's inscription to another brass of a bareheaded figure in chasuble. The one with a *pileus* is attributed by Haines (I. xcvi and II. 121) to Warde, Provost or Warden of Tattershall College, who died 1450. The style is later. After all, the degrees of the later Provosts are doubtful, and it is still possible that this figure, though not Moor's, may only wear the *pileus* as such Provost or Warden.

Besides this, the head-dress of Yslyngtone S.T.P. from Clay-next-the-sea, Norfolk (*A.J.* L. 186), is quoted by Father Robinson as that of a Canon or Rector, not of a Doctor. It may, no doubt, be meant to represent a *furred* cap (*cf.* the Canon's almuce), and it has no peak visible. But there are more indications of artistic fancy, than the mere cap, to be explained in this remarkable figure. Moreover, Yslyngtone *was* a Doctor as well as a Rector, but I can find no authority for his having been a Canon. Foreign instances I am here leaving out of the question, in general; but I may note that, in Father Robinson's illustration of the "Habitus Episcopalis" (*P.Q.* 5), there are several ecclesiastics wearing the round black pileus, *with a peak*, whom there is no possible reason to suppose Doctors.

On this early *pileus rotundus* I will refer you to Waller's engraving of some of the fine brasses of New College, Oxford, for Doctors of Divinity, Civil, and Canon Law, and to a rubbing of that of W. Town, Doctor in Theology of King's College, Cambridge, died 1496. Of Doctor of Medicine I have no early English example in the way of brass. Falling back on drawings, I suggest as a good instance the head-dress of the Arzet in Holbein's "Dance of Death," printed 1530; as an earlier but much more fanciful one a head from a picture, attributed to Giotto, at Assisi (*A.J.* L. 192). Here is also

a later and probably more exact one, from Italy, of a Doctor of Canon Law 1482 (Giovanni d'Andrea, *A.J.* L. 196).

I may also mention an extremely interesting window of fifteenth century glass, in St. Michael's, Spurriergate, York, representing the Hierarchy of Cherubim, Seraphim, etc., in which black peaked caps, exactly like those in Waller's engraving, are worn by the *Dominationes*. These *may* be conceived as Doctors of Theology; I should rather regard them as ecclesiastical dignitaries.

The cusped or square pileus: birretum or biretta.—This original *pileus* of dignity—called, to distinguish it from what I am about to describe, the *pileus rotundus*—varies considerably in height and finish. In our English instances it indicates pretty clearly its development from the skull-cap or *calotte*. In foreign use, many instances of which are, however, sometimes open to the suspicion ot artistic exaggeration, it runs much higher. But it may be distinguished at once from the original of our college cap by its cylindrical or cylindro-conical shape, and from our doctor's hat by its absence of brim.

This head-dress began towards the end of the fifteenth or beginning of the sixteenth century—at first, I think, in its ecclesiastical rather than its academical use—to assume a square or cusped shape. According to an opinion expressed to me by the late Dr. Littledale in which I concur, it was perhaps at first merely to make it *easier to hold* that folds were introduced into the soft material, which was thus stiffened: then a kind of *wings* were added, thus converting the round top into a square. No doubt a certain symbolism was attached to the somewhat *cruciform* appearance which this at first presented; but the above I believe to have been the homely origin, at once of our college cap, and of the square-folding ecclesiastical *biretta* of the present day.

As to the various forms of the modern biretta I am entirely in agreement with Father Robinson (*P.Q.* 6, etc.) that the original was, as above suggested, *four*-horned or four-cornered, and that the Italian three-horned form is a later variation, into the origin and meaning of which I cannot here enter. Nor can I trace the descent of a head-dress, which was at first the privilege of Canons,

Prebendaries, etc., to Priests generally. But I must demur to the sharp line by which the above respected authority distinguishes (*ib.* p. 9), in England, between the Priests' Square Cap and the academical Square Cap; or, more accurately, between the *birretum sacerdotale* and *doctorale*. Both are undoubtedly derived from the same original. The seams or edges (which Dr. Littledale by anticipation of the modern *biretta* called "wings") are sometimes more prominent, sometimes merely resemble *tapes* joining in the centre; the "peak" or point is sometimes a mere knob or tump; but I do not see that the differences are more than can be accounted for by variety of date, locality or artist (as to the undergraduates' square cap see below, p. 45).

The square cap as academical.—The *biretta* was described, in the Folkestone Ritual case, as "a head-dress of the Italian priesthood." The origin of the square shape *may* have been in Italy. I have mentioned elswhere (*A.J.* L. 193) some appearances of rudimentary cusps to the ecclesiastical *pileus* of that country, as early as the fourteenth century; though, both in this and the fifteenth, such appearances are doubtful, and may, in my authority (d'Agincourt's Plates) depend on imaginative drawing. For my present purpose I confine myself to the more certain use of the sixteenth century and to such use as indicative of university degree.

On the first definite adoption of the squared *birretum* as an academical costume, at least at Paris, which was probably its source, we have unusually direct evidence. John Launoy, a divine of the Sorbonne, wrote, in the seventeenth century, an explanation of the true reason for St. Bruno's retirement to the Chartreuse and foundation of the Carthusian order in 1084. Launoy is much scandalised by the popular account—how a certain Doctor testifies, after death, to his own judgment and condemnation—which portent is commonly stated to have driven the Doctor's pupil, afterwards St. Bruno, to that austere monastic solitude. He examines the evidence for this story with a good deal of critical power, and, amongst other things, rejects the testimony of a pictorial representation, at the Chartreuse, as a later invention, for the following reason. The teacher there depicted

—a Parisian Doctor of Canon Law—is represented with a *squared hat.* Now this Doctor's head-gear, says Launoy, in old books of the university, both was and was called a *birretum rotundum.* It was in the year 1520 that it begun to lose its shape and finish in a cusped or horned square (*in cornutum quadrum desinere*). See Launoius, *de verâ causa*, etc., p. 121, ed. 1662.

The present buildings of the Grande Chartreuse—I fear I must say of the Grande Chartreuse no longer—date generally from after the publication of Launoy's book—1676 or later according to Badeker. Neither there, nor in the pictures of the life of St. Bruno in the Louvre, have I been able to find record, of any apparent value, as to the earlier or later Doctor's costume.

The exact date given by Launoy, I have no ground either to accept or question. It may be historically connected with a certain reactionary movement of the University of Paris as against the somewhat secularising changes of Francis I. For this, it may be remarked, is rather a change in the ecclesiastical direction; following, as suggested by Father Robinson, the change in the shape of the *Priest's* cap, which had begun in the previous century. A slight squaring of shape, in the *pileus* of dignity generally, may in fact be observed earlier in the sixteenth century if not a little before 1500. But I think we may take it that this change of shape was in some way definitely *recognised* at Paris, in the matter of academical costume, in 1520, at least for the more ecclesiastical of the higher degrees, and that it was in all probability followed at once in the English Universities.

Before coming to consider contemporary representation of the square cap, or its original, I must give one or two preliminary cautions. As to the *wearers*, it is not always clear whether in its early use as a cap of dignity this is due to academical degree or ecclesiastical position. As to *shape*, it must be borne in mind that the *pileus* of dignity, although, as I believe, developed out of the skull-cap, does not necessarily supersede that cap, which often, if not usually, continues to be worn underneath. Moreover it may, I think, be observed that, while the head-dress approximates to a square, it sometimes varies

slightly according to the position of the wearer, as more or less emphatically ecclesiastical, possibly even between ecclesiastics, according to the more or less sacerdotal character affected by the wearer. In the former case the points or cusps tend to become prominent while the part fitting to the head is tight and shallow: in the latter the cusps are blunter and less conspicuous, while the lower part grows somewhat downwards, into the shape of a travelling cap. It is often hard to say whether a sort of "earlap," appearing below, is part of one undivided cap, or of a lower cap joined to the upper, or of a separate skull-cap. But the gradual development of the modern shape and the *provenance* of its component parts can, I think, be traced with some degree of certainty. I cannot therefore agree with Father Robinson that these earlaps are "remains of a hood"; at the same time I must admit that, especially in instances from paintings, what I take to be a squared or *squaring pileus* may, with some, appear to require the eye of faith: and I would therefore refer, for different views on several of such cases, to Helfenstein's article in *Contemp. Review*, February, 1867, and Mr. Wordsworth's *Social Life in English Universities*, pp. 499–503.

Instances.—A square head covering mentioned and depicted by Fairholt (2, 231), as coming in with the accession of Henry VII. for ordinary civil costume, must in my opinion be set aside as entirely alien from the present subject. The hat on that king's portrait, given in the Catalogue of the National Portrait Gallery as "painted in 1505 by an unknown Flemish artist," bears undoubtedly some resemblance to the head-dress of Wolsey and others to be noticed presently; but I do not think that it can possibly, especially when illustrated or interpreted by other specimens figured in Fairholt, be identified either with a "Cardinal's Cap" or a cusped *pileus*. On the other hand, the later cap of Latimer, etc. (see below, page 42) is, I believe, a modification of that *pileus*.

The incipient flattening and squaring of the *pileus rotundus* above referred to may perhaps be observable in a Cambridge case of academical costume. Compare the brass of John Argentein, Provost of King's, M.D. and

D.D., who died 1507, with that of William Town, D.D., fellow of the same college, who died twenty years earlier (1486). But the best early instances are ecclesiastical rather than academical.

I would call special attention to the portrait of Wolsey engraved in Gardiner's *Student's History*, from an original picture belonging to Sir Spencer Ponsonby Fane. There is a very similar likeness in the National Portrait Gallery. Neither is dated. They must clearly, I think, come before Wolsey's disgrace in 1529, probably 15 years earlier, before he was Cardinal. As to *form*, this head-dress will certainly supply a connecting link between the *pileus rotundus* and *quadratus*. It shows the squaring shape, the tuft or tump, the skull-cap underneath. It may of course be questioned whether this can fairly be taken as an instance of the early *pileus quadratus* for the high church dignitary generally, or whether it belongs to Wolsey as Cardinal. I hold the former view, which I may support by observing that we find very much the same sort of cap as Wolsey's, allowing for the difference between profile and full face, on the portraits of men who certainly were not Cardinals. On certain old English sign-boards we have undoubtedly Cardinal's caps as well as hats. But the *insignia* granted by Innocent IV. in 1244 only included one head-dress, a red hat (*ruber galerus*, *pileus rubeus*, *cappello rosso*, etc.), nor do those of Paul II. appear to have added anything, in this department, but a regulation of *material* (see their lives in Platina). The broad-brimmed hat we all know—it occurs on Wolsey's own gateway at Hampton Court (1525). In my view whatever Cardinal's *Cap* existed was probably, in *shape*, what the wearer was otherwise entitled to, only differentiated in *colour*. (See, however, Tyack's *Historic dress of the Clergy*, p. 56.) But I have not had an opportunity of examining the interesting *signboards* bearing the Cardinal's hat or cap, many of which had unfortunately been "restored."

Nor do I press the suggestion, made above, that Wolsey's portrait there referred to may have been painted before he was a Cardinal (1515). For there is another less known likeness engraved in the Illustrated Catalogue of the National Portrait Gallery, by a Belgian or Flemish

artist, and showing the same sort of cap in full face, which admirably illustrates the pinching process that turned the *pileus rotundus* into the *pileus quadratus*, and which bears the remarkable appellation *Cardinal d' Yorck autheur du schisme.* The preceding name certainly appears to me to be Wolsey's, though the portrait has been by some attributed to Cranmer: the strange perversion of style and history which follows seems, on the whole, in favour of the former. The same kind of head-dress appears, still better defined, on the beautiful recumbent figure of Jo. Young, LL.D., in the Rolls Chapel. (See *A.J.* LI. between pp. 150, 151.)

There is some difficulty both as to the exact form of the head-dress and the capacity of the wearer in the case of Sir Thomas More, whose portrait has been enlarged from the engraving in Gardiner's History, that being a copy of Mr. Hutt's picture, which is attributed to the hand of Holbein and the year 1527. The likeness of More in the National Portrait Gallery is dated 1525: both are apparently from the same original sketch.

Here we have, to begin with, the indistinctness of an artistic representation. The under cap is not very clearly separate though rather more so in the photograph from the Portrait Gallery likeness. The upper one, though vague and irregular, is on the whole of a squarish form, as yet thick, being only very slightly flattened. As to capacity, More was not Chancellor till 1530: even then it would be rather early to explain this as the cap of a Judge (see below, p. 57). He is stated in the *National Biography* to have been made High Steward of Cambridge University in 1525. This, I suppose, has good authority. I cannot find it confirmed either by the Cambridge Graduati or Cooper's Annals. Nor does he appear to have taken a degree at Oxford. He was a Reader or Lecturer at Furnival's Inn *c.* 1500, Treasurer of the Exchequer 1520, and Speaker of the House of Commons 1523.

In Holbein's portrait of Archbishop Warham (*d.* 1532), as shown in Chamberlaine's "Imitations," the head-dress, which comes down behind, is all in one piece; it is certainly slightly squared. In that belonging to Lord Dillon (1527) as figured in Gardiner, the cap is not very

apparently a square *pileus*: but I am informed by the kindness of the owner that there is a ridge in front, not well shown in the woodcut, but which as drawn by him shows exactly like that in the front of Wolsey's Belgian likeness. The lower cap is here, I think, united to the upper.

The portrait of Bishop Fox, Doctor of Canon Law and founder of Corpus Christi, Oxford (*d.* 1528) is preserved at his college. In an engraving from it in Wood's *Historia*, the cap is square, the *birretum* and *calotte* I think not joined, but it is difficult to speak with certainty. I believe this portrait is understood to be contemporary, in which it certainly differs from that of Robert Egglesfield, founder of Queen's Oxford (1341), which anticipates the square *pileus* by more than a hundred years.

In the woodcut of Cranmer, D.D., given in Gardiner from his portrait at Jesus College dated 1547, which is practically identical with that by G. Fliccius in the National Portrait Gallery, the under-cap appears at first sight to be combined with the upper in one continuous piece. The photograph, however, of Fliccius' portrait, rather shows them separate: and we may note a confirmatory remark in Holinshed's account of Cranmer's death (4, 84 Ed. 1808), "when *both* his caps were off," which indicates a separate *birretum* and *calotte*.

The component parts of our square cap are, I think, though with some difficulty, to be traced, in these transitional forms; and also in other cases, sometimes wrongly, as it seems to me, placed under a different head from that of the squared *pileus*, to which they really belong. Thus, *à propos* of a well known portrait of Latimer, figured in Fairholt's *Costume in England* (I, 266), I find the head-dress described as a cap "in favour with the learned in general," appearing constantly in "portraits of clerical characters and students, etc." In the particular case referred to (see the description of Latimer's trial in *National Biography*) the portrait in question probably represents an intentionally homely guise; but the same, or nearly, the same does occur frequently in likenesses of Latimer's time (*d.* 1555) and a

little later. It may possibly be occasionally attributed to lay and non-graduate scholars. But I think it is in the main confined to graduates or clerical dignitaries, and is really a loosely represented form of the *pileus*. An approximation to a sort of travelling cap might be detected in the head-dress of Dr. Town above referred to (p. 40); but this is almost certainly a *pileus rotundus* undergoing an incipient squaring process.

To conclude with a significant though not a very beautiful example: In the monumental effigy of Robert Brassie, S.T.P., Provost of Kings (*d.* 1538), although the under-cap is not very clear, the upper one is already flattened into a form approximating to its present condition, if we consider it to be worn a little on the back of the head, or, as sometimes in the case of our modern cap, by the early freshman, wrong side first. This head, I may remark, seems to furnish an explanation of Voltaire's *gens à trois cornes*, whom he mentions in a letter of June, 1760, as distinguished from the *bacheliers en fourrure*. The *fourrure* is the hood or tippet which constituted the *insigne* of the *bachelier*; the *gens à trois cornes* would seem to be the canonists or theologians of higher degree, with their squared cap, which, worn as on this brass, presented the appearance of three horns.

I would suggest as an illustration of this view a portrait of Onuphrius, printed at Frankfort in 1623. He was a noted writer on Civil Law, but an ecclesiastic, and, in fact, a Cardinal. This is not, however, a Cardinal's hat, though it very probably was distinguished by the Cardinal's colour. It is, as I take it in the case of Wolsey, the squared *birettum* of the distinguished ecclesiastic.

The Canon, too (Tumherr) in Holbein's "Dance of Death" (1530), though in back rather than front view, shows both the squared *pileus* and the three-cornered appearance clearly enough.

I need not follow the squared *pileus* and under-cap through the intermediate stages, of which there are plenty of instances in English monuments of Divines and Judges (see below, p. 58). There is a good illustration of the thicker, less flattened, shape in a print, dated

1623, of Convocation, copied *A.J.* LI. p. 148. What we have now is, as you know, a flat board, inseparably combined with the skull-cap into the strange shape which has suggested several more or less dignified designations, and which is certainly rather inexplicable without some reference to its history. The tassel is the original tuft, which is in fact occasionally found, quite early, in tassel form, though it more often resembles, in academical pictures of two hundred years ago, a tump or a sort of shaving brush.

Few words also will suffice to show how this form of the *pileus* of honour was extended in use from the Doctors, or Doctors and Masters, first to the Bachelors and ultimately to the undergraduates. The first extension I am inclined to believe originally a matter of practice. It was, however, recognised and enforced by the following regulations.

Under the Injunctions of Edward the Sixth's Visitors (July 2, 1549) the *pilei* of the Fellows and *discipuli* are to be *scholastici et quadrati.* These *discipuli* are apparently, from other passages, *scholars* as distinguished from pensioners. The Oxford Injunctions do not seem to have specified the *shape* but only to have required the wearing of *pilei non nisi scholasticis usitati.*

The Statutes made in the first year of Elizabeth (1558) provide that all *scholastici* and *gradibus literariis ornati,* besides wearing the special dress prescribed in the statutes of their houses (which has been taken to indicate a distinctive *college* dress), should have a general *vestitus honestus et decorus,* and, in particular wear, as above, *pilei scholastici et quadrati.* I do not think there is any opposition intended of *literary* to other academical degrees; but of academical degrees generally to other grades of honour.

The second Statutes of Elizabeth for Cambridge (1570), supposed to be mainly the work of Whitgift, specify more particularly who are to wear the square cap, which was already objected to by the more puritanical members of the University (see below, p. 46). The Fellows of each college,—and graduates not Fellows, while resident in the University—are to wear the *superior pileus ecclesiasticus*

et quadratus, and no other, either in or out of college. It would almost seem from this statute that the lay doctor's hat, of which I have to speak directly, was not at that time meant to be used as ordinary wear, but only perhaps for presiding over Acts, etc.

Further, in 1588, Burleigh, Chancellor of the University, by virtue of Royal Proclamation, makes order that Graduates, and undergraduate Scholars of Houses (as we say "on the foundation"), shall wear a *square cap of cloth*, and all other Scholars, that have taken no degree and live on their own charges ("pensioners") a *round cloth cap*. Sons of noblemen, or sons and heirs of knights, may have round caps of *velvet*, but no *hats*.

As to Oxford I must apologise for not having provided myself with documentary evidence, as in the case of Cambridge, at least prior to the Laudian statutes (below, p. 56), of the extension of the *pileus quadratus* to the graduates generally. I have little doubt that record is attainable of the change having been made, or rather recognised, about the same time as at the sister University. I may, however, note an incidental proof that the Oxford Bachelor *had* attained the dignity of a special head-dress by 1598, in the inventory quoted by Mr. Wordsworth (*Social life in the English Universities*, p. 456), from A. Wood's life. Among the goods of Christopher Tilyard "of y^e^ Universitie of Oxon bachelor of arts, late deceased" is "a bachelor's hoode *and cappe*."

It is from the *foundation scholar's* square cloth cap that Father Robinson derives the present "trencher or mortar board." This, under the name of "cater cap," he pointedly distinguishes from the *birretum* or *pileus quadratus* of the Doctor (*P.Q.* 9, 10). I confess that I cannot see, in face of the documentary evidence, any clear ground for this marked distinction. I should certainly think that the *pileus quadratus*, as an *insigne* of the higher degree, would be of richer *material*, but I find no reason to believe the square cap of the lower degree to have been different in *shape* from that of the Doctor. The same authority (*ib.* 14) considers the Canons Ecclesiastical of 1604 to have *enjoined* wearing

of the square cap upon Doctors of the Civil Law Medicine, etc.; but this injunction appears to me only to apply to such Doctors as have any ecclesiastical living.

There are two further points to which I wish to call attention in the second Statutes of Elizabeth and Burleigh's Order. By the former the *pileus quadratus* which is to be worn by graduates generally is called *superior*. This may, of course, have the metaphorical meaning of rank or dignity, in which case it may distinguish between the head-dress of graduate and undergraduate, though not, as Father Robinson holds, between that of Doctors and other graduates. It is, however, possible that the word indicates mere physical super-position. If so it contains a direct recognition of the two component parts, the upper and lower *pilei*, which go to make our modern college cap.

Again, both authorities forbid the wearing, in the University, of a *galerus* or "hatt" except in case of sickness; the prohibition extending, in the Statutes, to any scholar of whatever condition; in the Order, to any graduate or scholar. *Galerus* may here mean any "swagger" hat; I think we may assume that, as it seems to be specially applied to the Cardinal's (see Marriott, *Vestiarium Christianum*, p. 72, *n.* 124), it is at least something with a *brim*. The exception in case of sickness is somewhat inexplicable, however, if this is all. Comparing the old allowance to *clerics* (*A.J.* L. 142) in journey or ill-health, as to the *coif*, I am inclined to think that a brimmed hat *with coif underneath* is intended, such, in fact, as we shall find to have been worn, from the end of the fifteenth century, by lay Doctors (see below, pp. 54, 55). It is possible that such hats were intended to be prohibited generally, by Elizabeth and Burleigh, except perhaps for special occasions such as Acts, etc. If so, the prohibition must have been disregarded by the lay Doctors, at least by Loggan's time (see below on Stokys' picture and Loggan's *Habitus*). In support of the above view, I may add that the Bedell's official head-dresses, which are certainly *hats* in Stokys' picture, are spoken of in the old records preserved by the same authority (*Peacock on*

the Statutes, etc., App. A. xiv.) as "Quoiffys" (see however below, p. 63).

The extension of the square cap, which I think was demonstrably connected rather with ecclesiastical than lay persons in its original development, to graduates generally, might, no doubt, be partially accounted for as a natural result of the originally "clerical" character of the whole University. At the time, however, when it was made imperative, it would rather seem to have been a matter of order and discipline or compulsory uniformity; to have been accordingly resented, very soon if not at once, by the growing puritanical party. Into the special objections raised against the square cap on account of its ecclesiastical connexions, I do not now propose to enter. They were, I imagine, rather a second thought. The Preacher, we may note, in Holbein's "Dance of Death," though obviously holding forth in a reformed tabernacle, wears the subsequently obnoxious head-dress. The objections came apparently, in the first instance, from Switzerland; but were raised by Bishop Hooper in 1550 (see *P.Q.* 12) and revived, with great acrimony, from 1566 onwards at Cambridge (see *Mullinger's History*, 2, 194–197, etc.), no doubt also elsewhere. On the extension of the square cap to Anglican Priests *generally*, I confess that I remain in doubt, and I do not see how Father Robinson (*P.Q.* 12) gets over the step from "Priests in Cathedral and Collegiate Churches" to Priests simply. The so-called Priest's cap belonged only, I venture to think, to the Priest in some special position such as the above or to the Priest as holding an academical degree.

Secular Doctor's Hat.—I come now to a much more picturesque head-dress, which probably passed to us from Italy somewhat before the squaring of the *pileus rotundus*, and has been retained in our secular Doctorate though only for full dress occasions. That change in the secular direction to which I have referred as taking place towards the latter part of the fifteenth century is most obvious in connexion with the study of Roman or Civil Law. It shows itself particularly in the hat or cap affected by the Doctors or Professors of that subject: theologians, canonists, and possibly civilians if in holy

orders, retaining the old *pileus* and its subsequent modifications. I must briefly mention a few Italian examples before I come to the English evidence.

Bologna and Venice.—In investigating the costume connected with the study of Roman Law, I naturally went to the old headquarters of that study, Bologna, where I spent some little time, with this object, at the Archivio.

In some of the miniatures of the fifteenth century there preserved, to which I referred in my previous paper (*A.J.* L. p. 194) there is to be remarked, apparently as part of the Doctor's costume, a sort of black "wide-awake" over a red skull-cap. In this we may possibly recognise an inchoate form of the secular Doctor's hat. But I feel doubtful about basing any argument on these somewhat exceptional head-dresses, which may within the bounds of possibility, be *quasi insignia* of Licentiate or Bachelor (see below, p. 65). Nor have I been very successful in inquiries which I have made by letter, at Bologna, as to the particular development of which I am now speaking. In a letter from the Rector of the University in 1886, the Rector, while stating that "a costume of red silk" might be inferred from a picture in the Library, was unable to speak with confidence as to the "*berretto*" of 1500.

A note which I received from another correspondent on the dress of the "Professor of Jurisprudence," contained the following rather perplexing piece of information. "The gentleman's costume of 1400," my informant writes, "came to be used by the Magistrate and the Professor. When they held the chair of Jurisprudence they wore the broad velvet band with gold border." His account of the rest of the costume does not concern me at present. By the side, however, of this statement, my informant kindly sent me a coloured drawing of the head-dress in question, with the gold border on the velvet band; having no *brim*, but spreading out above into a squarish flat top with a tump in the middle—in fact, except for the cylindrical lower part and its border, not much unlike the development of our square cap. But it must be remarked in this head-dress that, while it might well be a modified *pileus*,

it does not in the least resemble a gentleman's hat. It may account for our *band*; but we must look elsewhere for the general shape of our Doctor's hat.

French legal head-dress.—The particular Bolognese head-dress, therefore, noted in my friend's *drawing* is of little use for my immediate purpose. The main reason why I mention it is that in this, which is really a developed *pileus*, we have, I believe, the origin of the caps or *toques* worn to-day in the French courts. One form, round with a flat top, is exactly that of a *mortar*, and is worn by the *presiding* legal dignitaries, to whom, according to Littré, the term *mortier*, as descriptive of their head-dress, is confined. It has been ingeniously suggested (Palmer, *Folk Etymology s.v.*) that our slang term "mortar-board" is possibly derived not from the idea of *carrying* mortar, which is rather far-fetched, but from this French word. The head-dresses worn by the *avocats*, the *avoués* and the officers of the courts approximate more to the square-topped Italian, or rather to an octagonal shape. Variety of material and of *band* or *braid* indicates degrees of dignity, from the merely licensed *Avoue* to the President. With all this I have not to do.

An Italian development of the *pileus* more apparently approximating to our hat, or its original, may perhaps be traced in a curious engraving, by an anonymous master, to illustrate a French edition of an Italian book printed in 1476.

The head in question is from a plate of Boccaccio presenting his "*De casibus*" to a friend, Mainardo Cavalcanti. Of this friend's actual degree I have not found information, but he undoubtedly wears the *pileus* of dignity, with its regular point or peak, with a slightly squared shape and—what is irregular and new—a slightly turned up border or band. But the secular change in the hat, to which I refer, is more definitely to be seen in the "Habiti antichi e moderni" of Cesare Vecellio. This book was only published in Venice 1590, but it is supposed that the original drawings came to a considerable extent from the great Vecellio, whom we know as Titian, and who died at 99 in 1576. In that case, as they are the kind of work which would come

before vogue and "commissions," these representations and descriptions may belong to any time about 1500. In this book, the *hat* of the Doctor of Civil Law (*legge*) and Medicine, "used," it is said, "throughout Lombardy," is described as "a *beretta* of rich velvet or silk." It is depicted as round, spreading out at the top, without any tuft or peak, but having at the bottom an obvious fold or band. This hat, as well as that of the "Vicar, Doctor, or Assessor" of Venice, differs in no material particular from that of the gentlemen of the period, the latter being only more extravagant in height and splendour. On the other hand, the "Rector of the University of Padua"—an office which presumably had retained its original ecclesiastical characteristics—wears what is described as a "cusped or horned *beretta* of black velvet, like that of the Priests, coming down a little behind," and depicted almost exactly like the head-dress, whether in two pieces or not, of our Cranmer.

The former head-dress is, I think, clearly the direct or collateral ancestor of our lay-Doctor's hat. I take it to have been scarcely so much a modification of the *pileus* as an adoption of a secular habit. The development of the fold into a brim, and the flattening down of the body of the hat, may be traced, through gradual changes, both in the gentleman's costume and in that of the Doctor of Civil Law, particularly in England.

That it did not, however, always follow this modest and becoming pattern appears from certain extravagant forms which we find here as in the case of the old *pileus rotundus* (above, p. 36), possibly due in part to painters' or printers' fancies. I may instance, on an engraved portrait of Cujas, the great commentator on Roman law, from a book printed at Lyons 1546, an enormous hat which might for its height and cylindrical character be the old *pileus* of Giovanni d'Andrea (*A.J.* L. 196), but is distinguishable therefrom by its brim, its braid or band, and its absence of tuft or peak.

Italian Canonist and Civilian Doctors.—Before I come to English contemporary representations, I would still add a few words on an ambiguity in Italian accounts and representations of the law-Doctor's hat which may indicate two diverging developments. There is a some-

what confused record given by Panciroli, Professor of Civil Law ("the Institutes") at Padua in 1564, which, however, has its value. For, however untrustworthy this authority may be, as represented by Savigny (*Gesch.* III. 50) on previous history, there seems no reason to question his testimony on matters of costume which had come within his personal experience. He was born in 1523 and died at Padua, where he was Professor, in 1599. When very young, "*annis ab hinc ferme* 70," Panciroli remembers the old Doctors of Law wearing long scarlet robes and round *pilei* of the same colour (see *A.J.* L. pp. 148, 196). "Subsequently they adopted," he says, "dark dress and squared *pilei*, such as the priests wear, by whom this form of head-dress was originally adopted as symbolizing the cross." "This kind of hat I have seen," he adds, "made of silk, square, yellow (or orange) in colour, supported on a broad circle and used formerly by laymen (? Doctors); which practice afterwards went into disuse." (See Panciroli, *Var. lectt.*, pp. 21, 23 and *De Claris Oratoribus*, p. 95.) It is by no means clear what the "broad circle" is—a band, a brim, or a cylindrical base. But it may very well represent the lower part of my drawing from Bologna (above, p. 48), and anyhow it seems clear that *some* Italian Doctors of Law early in the fifteenth century adopted for a time the squared *pileus* of the ecclesiastical dignitary, which they abandoned during the life of Panciroli. In fact there appear to me to have been *two* different developments of the hat of dignity, in Italy, for the Faculty of Law; one probably for the *Canon* or more ecclesiastical Law, the other for the *Civil* or more secular branch. My pictorial information from Bologna, and Panciroli's account rather refer to the former, my written information, Vecellio's description and his plate, to the latter, the latter giving us the model for our lay-Doctor's hat. I have examined a good many representations of Doctors of Law, mainly in Italian books printed at Venice towards the middle or latter part of the sixteenth century, and have observed a distinction between *two* classes of jurists, one with a round hat, as I suppose for the secular Civil Law, the other with a square one for the quasi-ecclesiastical Canon Law (see the *Consilia* of Jo.

de Amicis de Venafro, Venice, 1544, the *Conventiones* of Pet. Paul. Parisius, Venice, 1570, etc. Also Bock, *Gesch. der liturg. Gewänder des Mittelalters*, ii, Taf. L.). It seems possible that a similar difference is to be observed between Canonists and Civilians in Stokys' picture of 1590 (see below).

I pass now, however, to an earlier English instance of the lay-Doctor's hat.

Doorway of Law School, Cambridge.—One of the most interesting pieces of evidence which we possess, of English academical costume, consists in the curious carvings on the now closed doorway of the late Law School at Cambridge. The drawing exhibited has been enlarged from a photograph and subsequently verified by comparison with the original. Quite independently of any inference from the carvings themselves, there is sufficient external evidence, in extant University and College documents, that the building in question was erected for the study of Civil Law and Philosophy, after the building of Schools for Theology and Canon Law which occupied the north and west while this formed the south side of the Schools' Quadrangle. It was begun at the instance of Lawrence Booth, then Bishop of Durham, Master of Pembroke and Chancellor of the University (afterwards Archbishop of York), under a Grace passed June 30, 1458 (I owe to the late Master of Pembroke the information, of which I do not know the original authority, that Booth became a Licentiate in Civil Law on October 10, 1457 or 1458). The building, with an upper storey, was probably finished some 12 or 13 years after. The progress seems slow, but we gather from one old Proctor's book that the funds only came in slowly. 1471 is about the latest date that I should assign to the carved work of which I am about to treat. I have not here to speak of the school of Philosophy or the destination of the upper part of this building, or of the various "flittings" of the School of Civil Law. Enough that there is good ground, in external evidence, for connecting this doorway and the room to which it leads with the last subject in particular. A new proof, of rather an interesting character, turned up when I went into this matter some years ago. This was a rough sketch of a Doctor or

Professor in his chair, with the superscription "*cathedra juris civilis*," which appeared drawn on a deed of conveyance of the site for this very Law School, bearing date 1459; coupled with the fact that when the Law School was absorbed into the University Library, we found possible evidence of the actual position of this doctor's chair, in the lower room, nearly facing the doorway. Here is an enlarged copy of the drawing in question (see Willis and Clark, *Arch. Hist. of the University of Cambridge*, III, 5, 6).

Civil, Canon and English Law.—I may anticipate some remark upon my speaking solely of Civil (Roman) and Canon Law by reminding you that the *leges Angliae* were for the first time recognised by the Statutes of Edward VI. and Elizabeth, as a subject for study, by the *Doctor legum*, *after* his doctorate. *Doctor legum* and LL.D. in the original and proper use of the terms, mean Doctor of the *leges* of Justinian, *i.e.* of Roman law. Degrees in *Canon* law (*Baccalaureus* and *Doctor Decretorum* or *Juris canonici*) were prohibited by Henry VIII. in 1535, revived in practice during the reign of Mary, and recognised by Elizabeth's first (1559) but not by her second (1570) Statutes.

Coming to the carvings on the Schools' doorway, I may dismiss the spandrils in brief. In the (heraldic) right hand one we have St. George, his cross on the shield, fighting with his dragon; in the other, St. Michael, bearing the emblem of the Trinity, fighting with the dragon, I presume, of the Apocalypse. I cannot explain the connexion of these saints with law, or philosophy, or with the founder Booth; but I have observed almost exactly similar representations in the spandrils of an archway at St. Michael-at-Plea, Norwich, where the Court of the Archdeacon was formerly held.

The corbel heads.—These two curious figures obviously represent superior and inferior grades of some academical study—most probably of Civil law—and appear to symbolize some form of academical examination or investiture. The hat of the right hand figure bears a fairly close resemblance—allowance being made for distances of place and time—on the one hand to that of Vecellio's *Dottore di legge*, on the other to that of our

modern Doctor of Law. The lines running down to the chin are evidently meant for a fastening of the hat. There is no trace of such a fastening either in the ecclesiastical *pileus* or in the Italian gentleman's hat: there *is* occasionally, though rarely, in the older Italian *pileus* when used by *lay* Doctors (*e.g.* Giotto's *Medico*, *A.J.* L. p. 192). In point of documentary evidence I have found one or two obscure references in the Oxford Register (1507,1529) to a *ligula sub collo* or *pileus fibulatus*, which would seem to indicate this as the mark of an incepting or inchoate degree of Master or Doctor (*A.J.* L. 148). I think there may be also, in this head, some slight indication of a *coif* under the hat, possibly too of the *morse* or fastening of a cope. I pass over, for the present, the *rod* in the hands of the two figures.

You will notice at once the conspicuous change between the cap of the Doctor or Professor drawn on the deed dated 1459 and this hat of say 1471. The tufted *pileus* is replaced by a head-dress which has no visible tuft, but has at least an incipient brim. If not the direct borrowing of a gentleman's headgear, it is certainly a modification of the *pileus*, very closely imitating a secular hat which becomes widely prevalent in the reign of Henry VIII. In the slightly later portraits to which I refer, such as that of the Earl of Surrey at Hampton Court, attributed to Holbein, which is given in Fairholt (i. 231), and that of Edward Seymour, afterwards the Protector Somerset, given in Gardiner's *History* (2, 395) it has assumed almost exactly the flat shape of our law Doctor's hat at the present day.

It is interesting to remark that the similar gentleman's hat often has under it what is to all intents and purposes a *coif*—that is, a skull-cap with strings. These strings were no doubt originally intended to be tied, as they always are in the old Sergeant and Sergeant-Judge's *coif*; in the gentleman's hat to which I refer they rather appear as a sort of tails.

Instances may be found in the head-dress of Charles Brandon, Duke of Suffolk, as shown in his portrait in the National Portrait Gallery, and in that of John Heywood, in the strange (possibly fancy) portrait prefixed to his book *The Spider and the Fly*, 1556. This last

named costume is, if the Spenser Society reprint be correct, more accurately given in Fairholt's cut, i. 243, than in that of ii, 235. The furred gown seems rather that of an alderman or distinguished citizen. It has been taken to indicate "the Oxford graduate" of which graduation, by Heywood, I am not aware that there is any evidence. Anyhow, as Dr. Ward remarks in his preface to this reprint, the cap of the figure is "more like a Doctor's hat than a Master's mortar board."

More remarkable is the likeness of Thomas Becon, which is correctly copied in Father Robinson's article on *pileus quadratus* (*P.Q.* 13) from the frontispiece to Becon's *Reliques of Rome* written, in 1563, from Canterbury, where he was made Canon in the fourth Prebend, 1559. He calls himself *Sacrosanctae Theologiae Professor*, and appears, according to Cooper's *Athenae Cantabrigienses*, to have *commenced* D.D. at Oxford; of his degree I have no other evidence. The head-dress is certainly not the ordinary one of a Doctor of Divinity. He wears a hat and coif which, barring a small point on the top of the former, are exactly like those of Charles Brandon. Father Robinson (*P.Q.* 13) calls this "the John Knox laical cap," and it is, in all but the coif strings, the same as what is worn, in his portrait, by Knox. The slight point in Becon's portrait may indicate some idea that this was at one time regarded as a modification of the old *pileus*; but everything else points rather to the borrowing of a secular head-dress of dignity; which view best accounts for certain uses of the same hat in the case of University officials who were not necessarily either Doctors of any Faculty or Masters (see below, p. 62).

As to Becon, I venture to throw out the suggestion that, in his well known hatred of sacerdotal forms and dresses (which he expressed with vigour at the Convocation of 1562), he chose, though he called himself Professor of Theology, to adopt the *lay* hat of dignity, perhaps for the pulpit only.[1]

We *may* have here the Oxford law Doctor's hat of 1563; but, with the exception of this hypothetical case,

[1] Wood has a story of Richard Taverner preaching in St. Mary's, Oxford, though a layman and only B.A., at the beginning of Queen Elizabeth's reign, wearing *inter alia* "a velvet bonnet or round cap."

I have no such early evidence as at Cambridge for dating the introduction, in the sister University, of this secular hat. The Laudian Statutes of 1636 (XIV. § 3) require, for graduates, the *pileus quadratus*, or, if *juristae* or *medici*, *rotundus*. Undergraduates on the foundation are also to wear the *pileus quadratus* and a gown with wide sleeves: the others a *pileus rotundus*. Reference is made by the editor of these Statutes to the Senior Proctor's Book B (compiled *c.* 1477), and it has been suggested, I think by Professor Holland, that some at least of these regulations were borrowed from an earlier Statute of 1450. The only old documents which I have been able to find on the subject are; the undated Statute *de pilleis portandis* (see *A.J.* L. 144), which does not seem to recognise any difference in "*pillei*" between *theologi*, *decretistae*, *medici* and *legistae*; and the Grace of 1507 forbidding the use of a *pileus fibulatus* to persons not yet admitted to the Baccalaureate of Canon Law (*ib.* 148), which does, as I have suggested, rather compare with the *chin strap* on *our* Doctor's head. (Above p. 54.)

There seems no reason for considering Laud's Statutes to have *introduced* the "new *pileus* still worn on occasions both at Oxford and Cambridge," as Father Robinson, I think rather misleadingly, puts it (*P.Q.* p. 14). For the latter University, at any rate, a previous existence of the round hat for Doctors is distinctly proved by the picture to which I shall refer directly (below, p. 60) if not by the carving on the entrance to the old Law School.

We might perhaps gather, from the Laudian Statute using the same term for the head-dress of graduates in Law and Medicine as for that of undergraduates not "on the foundation," that the hat of the latter at Oxford was somewhat different from the Cambridge undergraduate's round cap, and this, we shall see, is to some extent borne out by Loggan's plates.

On the whole, as to the introduction of the round secular hat at Oxford, I am inclined, in fault of proof to the contrary, to connect it with the Faculty of Law, and suppose it to have taken place, as at Cambridge, in the fifteenth century.

Beefeater.—I may here add a few words of disclaimer as to the Beefeater, and an attempt at explanation of the head-dress of the Judge. In the carving on our old Law School, with its ascertained *date*, we have fair evidence that Cambridge possessed the lay Doctor's hat *before* that of the Beefeater was introduced, with its rosettes for York and Lancaster, on the marriage of Henry VII., in 1486. It is quite possible that both came ultimately from a common source—an Italian lay head-dress of dignity belonging to the middle of the fifteenth century, and its English copies. But the difference of garniture and the prior date are sufficient to rebut any claim of paternity on the part of the Yeomen of the Guard—to any such claim we must, with all due respect, reply in the words of Whiskerandos, "Thou liest, base Beefeater."

Judge's-head-dress.—I am obliged to say a few words here on the above head-dress, because it partly coincides with the lay Doctor's headgear and partly borrows from the originally ecclesiastical *pileus quadratus.*

The *coif*, about which there has been a good deal of confused writing, was in its derivational and original meaning a close skull cap covering the head much more than the *calotte.* In the Chanson de Roland (eleventh century) it is a cap of mail. In its "clerical" and early legal use, whether both were really, as seems possible, derived from the *calotte* or not, it had become a sort of night cap tied with strings under the chin (*A.J.* L. p. 142). Its use was allowed to "*clerici*" in the night, and when travelling, but was otherwise prohibited. The head-dress especially specified in the Clementine Decretal (3. 1. 2), a *pileus lineus* or *infula*, seems to be that *white* variety which was adopted by our Serjeant-at-law—early, but at what date I cannot say—probably when legal practice by ecclesiastics began to be systematically discouraged by the Church, in the twelfth and thirteenth centuries. The story of William de Bussey in Matthew Paris, dated 1259, shows that the coif was then worn by magistrates in high position, though not, as has been supposed, that it was commonly assumed to conceal tonsure (see Pulling's *Order of the Coif*, 10–12, 20, etc., Spelman, Gloss. *Coif* and *Birretum*

album). That eminent ecclesiastics, on the other hand, were frequently appointed *Justiciars*, especially by Henry II., is well known (see Pollock and Maitland, *History of English Law*, i, 111, 112) and these, presumably, would adopt the coif. The Serjeant's coif was apparently a *white* cap only, down to the time of Henry VII. (Pulling, 86); whether an additional *velvet* cap, distinct from the cornered cap (see Rules of 1635 Pulling, 216) was adopted as part of their *insignia* I cannot say.

The Justices of the Common Law Courts (in the Exchequer, at least the Chief Baron) were in old times chosen from the Serjeants. Hence the *tied coif* on monuments of Common Law Judges. The glass in Long Melford church would be most interesting if really of the date of Sir William Howard, who died in 1308, but it is probably a later restoration (Pulling, 16, 261). More certain instances are the brasses of Hugo de Holes, Justice of the King's Bench 1415, at Watford, Herts, (Haines, xc.); John Martyn, also of the King's Bench, 1436, at Graveney, Kent; William Coke, Justice of Common Pleas, 1553, Milton, Cambridgeshire (both engraved in Boutell, pp. 116, 117); and John Spelman, knight, and "Secondary" Justice of the King's Bench, *d.* 1546, which I recently examined in Narborough Church, Norfolk—this last wearing a tied coif which seems distinctly meant for *white*. Allowance being made for the difference between profile and full face, the coif of these figures seems to be exactly the same as that of Thomas Rolf, Serjeant only, admitted to the order of the coif in 1418, *d.* 1440. His effigy, in Gosfield Church, Essex, is described in *A.J.* L. p. 203. There are of course material differences in the *body* garments, with which I am not, however, here concerned.

At some time about the beginning of the reign of Mary the square *pileus* was adopted by Judges as distinguished from mere Serjeants. In the fine alabaster effigy of Sir Richard Bromley (L.C.J. *d.* 1555), at Wroxeter Church, Shropshire, he wears a head-dress which I did not clearly understand when I made my notes of it. I now see that it must have been the *pileus quadratus*, black, showing the under cap in the form of a sort of ear-

laps, and under this *two* coifs, both with strings. I have noted the under one as *black*, but I think this must be my mistake—or perhaps that of the artist. There appears also to be an instance of the Judge's squared cap in Richard Harpur's monument at Swarkestone in Derbyshire, though I can only here cite the engraving in Fairholt (i. 270). This recumbent figure also wears a coif, and I find that Harpur became a Serjeant in 1558.

A better instance as to form, though not as to colour, came subsequently under my notice in the stone effigy of Sir Richard Lyster, C.J., who died 1554, the monument being erected by his widow in 1567. It now stands in the north-west corner of the nave at St. Michael's Church, Southampton. The costume is a long robe with full sleeves, mantle buttoned on the right shoulder and collar of S.S. A fur collar or roll of a hood appears round the neck. On the head are, first a coif tied under the chin, and above that a thickish squared cap which has, under it, either flaps, or the underpart of the cap itself slit into four square-ended segments, three of which are shown, one being behind the head.

I have not as yet had the opportunity of investigating the head-dresses appearing in the picture of the Court of Wards and Liveries quoted by Pulling (p. 214) from *Vetusta Monumenta*.

The "cornered cap" was definitely recognised as part of the Judge's costume by a Decree of 1635 based on a discussion of ten years earlier (ib. 210, 216) in which we may presume that Sir Edward Coke took part. His likenesses afford an excellent illustration both of the coif and of the flattened *pileus quadratus*. In the well-known portrait painted in 1608 by Cornelius Janson and now in the National Portrait Gallery (engraved in Pulling, p. 180) we have the *white coif*, which has now lost its strings, a *black velvet cap*, or second coif, over it, and above all the *pileus* with its two constituent parts both flattened into a square.

In a later representation of Coke, after he had been deprived of his Judgeship (in 1616), dated 1629, which appears in an edition of the Institutes 1648, he has the two coifs, or coif and velvet cap, alone.

I have gone at some length into the Judges' head-dress because one would rather have expected them to wear the secular Doctor's hat, bearing in mind the well-known comparison of the *insignia* (made from Fortescue downwards) of Doctor and Serjeant (*A.J.* L. 143, 204; see too Blackstone, iii, 27, etc.). Possibly the more ecclesiastical head-dress was preferred, to carry out the old and noble idea of the Judge as Priest of Justice.

The Judge's cornered cap is identified by Pulling with the solemn *black cap* of sentence, which is not inconsistent with this view. If, as the same author holds, the idea is to *veil* the ordinary head-dress of dignity, as a sign of mourning or sorrow, this may explain the introduction, possibly in earlier times, of the upper black velvet coif, which is rather difficult to account for. I should now prefer to take this view, whether of the square cap or the upper black coif, rather than that suggested in *A.J.* L. p. 143. When the *wig* concealed all the ordinary head-dress, the patch of black and white was added, at the top, as a somewhat fantastic record of the old coif and velvet cap. The square cap, losing any stiffening it may once have possessed, was carried, as now, detached, and only in readiness for capital occasions. (Pulling 13. 222.)

Stokys' picture.—Returning from this long digression, I may now refer, for evidence of the academical head-gear of 1590, to a very remarkable picture representing the graduates and University officials of Cambridge in that year and preserved in the Registry of that University. It is due to the liberality of a former Esquire Bedell and Registrary Mathew Stokys, from a lost MS. of whom, transcribed by W. Cole, we have also valuable record of old University practice as to graduation. Out of five lay Doctors represented three wear the round hat. It is probable that the other two are Canonists—a degree which was still lingering on. Moreover Stokys, a stickler for the old religion, may have purposely retained their representation from an earlier picture of which this purports to be a reproduction. (Can the *tabula*, etc., *de origine universitatis*, 1471, 2, see Grace

Book A, p. 90, have anything to do with that earlier picture?) But, whatever is indicated by the square caps, the round hats seem to prove that this head-dress was not intended, or not held, to be entirely abolished by Burleigh's Order of 1588 (above p. 45). I need not give illustrations from this picture for my present purpose because the head-dresses shewn in it are practically identical with the corresponding ones in Loggan, to which I come directly. At a future time I hope to go thoroughly into Stokys' representation, as a most valuable record not only of the academical costume but of the official staff, and their functions, in the University of the sixteenth century.

Neither need I, as we have this earlier evidence, do more than mention the illustrations of costume given at the bottom of Spede's maps, dated 1610. On that for Cambridgeshire, all the four academical figures depicted—of which one is certainly meant for Theology, so that the other three may not improbably represent Arts and the two other Faculties—wear the thickish intermediate form of the square cap. This may indicate that head-dress as at least an allowable alternative for the round hat in the two lay faculties (see below on Loggan's plates p. 62); but I would not base an argument upon figures merely incidental to Spede's principal subject.

Medicine.—I must come now to an important Faculty which has been somewhat neglected. The Doctor of Medicine no doubt originally wore the high *pileus* without brim, though I have not been able to find good early instances in England. The squaring development took place here as in the other Faculties. Dr. William Butts of Gonville Hall, Cambridge, who commenced M.D. in 1518, had his portrait painted about 1545 by a scholar of Holbein. The original has been sold to America. The copy in our National Portrait Gallery shows a lumpy squared *pileus* apparently tied into shape with ribbon, the tuft or tump not perceptible —no brim—but underneath it a sort of coif or *calotte* with strings, not tied. In the portrait of John Caius, M.D. of the same college, now bearing his name as second founder, which I see I have dated 1558, I think on the whole the cap is square with one under cap forming a

sort of brim, and a stringless coif under that. But I do not feel very confident about either of these portraits.

At Cambridge it would seem, from Stokys' picture just referred to, that Doctors of Medicine may have already, in 1590, worn the round hat as they do now. At Oxford, on the other hand, the fine brass of Anth. Aylworth, Regius Professor of Medicine (1619), at New College, shows a brimless and apparently square cap with a tump or peak. It is possible that there was, for some time, not the same regularity of costume in this faculty as in the two others. In the satirical plate of 1641 quoted by Fairholt (1, 333) one of the medical gentlemen wears something like the square cap with a cord round it, the other a simple high crowned hat. In the monumental brass of Duncan Liddel, M.D. (engraved *A.J.* LI., p. 76) from the Old or West Church at Aberdeen, the cap or hat is a round one very like that of the *Dottore* of Vecellio (above, p. 50) but with a skull cap underneath.

Loggan's Habitus.—Finally I would refer to the valuable and interesting plates of *Habitus Academici* in Loggan's illustrated works on the two Universities, Oxford 1675, Cambridge 1690. As these plates indicate, with a few exceptions, much the same academical costumes as are familiar to all who knew the Universities in the old Fellow Commoner days, it is only of the exceptions that, in the main, I need speak particularly. The graduates, other than Doctors of the two lay Faculties, all wore the square cap, with a tuft, however, more like a shaving-brush than the present tassel. Of the undergraduates' head-dress I shall speak presently.

The round hat, whether originally meant for "Acts" only or not, seems, by Loggan's time, to have become the *ordinary wear* of the lay Doctors, because, in the two costumes which he gives them, their common dress and that for feast days, the hat is evidently the same. With us it is only used on ceremonial occasions, the ordinary head-dress being the black trencher cap.

The round hat has been recently adopted by the new lay Doctorates of Literature and Science at Cambridge. Doctors in Theology have in some cases reverted to a soft slightly squared *biretta* of velvet with no brim. This is, I suppose, the "Canterbury Cap" which Father

Robinson (*P.Q.* 14) describes as "an imperfect reproduction of the cap of the Doctor of Divinity." His objection is mainly to the shape as too much resembling the "common cater cap" (see above, p. 45): the *material* of the Doctor's square he believes to have been originally velvet (*P.Q.* 9). I cannot find authority for this latter view, though it is likely enough: on the *shape* I have spoken already.

Bedells.—If the round hat be correctly referred to a secular origin we shall not be surprised to find that in the Universities this head-dress, though probably introduced for the higher degrees in the secular Faculties, came also to be used as a hat of dignity or badge of office, where such degrees had *not* been taken. The *garniture*, of which I shall speak directly, and perhaps also the material, were most probably the distinguishing peculiarities which marked the original wearer of this imported head-dress, the Reader or Doctor. A round hat was worn by the Bedells at Cambridge in 1590, as appears from Stokys' picture. What they wore in earlier times were, as we have seen (above, p. 46), called "Quoiffys." This might, as I have suggested, mean hats with coifs under them. But Oxford *may* furnish a different explanation. In that University the Bedells were said to be *nobilibus aequati* or *in nobilium ordinem ascripti*, so that their original head-dress perhaps was the nobleman's velvet cap. It must be remembered that on the one hand this cap may well have existed, in practice, *before* Burleigh's order; and, on the other, that the office, at least of the superior, or Esquire, Bedell was evidently an important and lucrative one. We may conclude this, *inter alia*, from the proposal of Prideaux in 1715 that "Beadles" should vacate their fellowships (Prideaux's *Life*, cit. by Wordsworth, *Social Life in the English Universities*, p. 554). In Loggan's Cambridge *Habitus* the *Yeoman* or inferior Bedell wears a head-dress like the Nobleman's, which has now grown into a low square-topped hat; while the Esquire Bedells and the Commissary (the Chancellor's Deputy at the Court held in Sturbridge Fair) wear hats indistinguishable, except possibly for a slightly less width of brim, from those of the lay Doctors.

At the present day in Cambridge the Bedells simply wear the ordinary square cap: at Oxford they all (Yeoman as well as Esquire) wear a round cap made of black corded silk, in shape exactly like the velvet cap of a D.C.L.

Though retained in the Universities, the round flattened hat has sadly descended, in the outer world, from its position as a man's dress of fashion or dignity. First becoming the hat of the plain citizen, it came down as the "statute" cap, to the artificer and labourer, specially the "prentice." As an educational dress it seems to have descended, through the bluecoat boy's costume, to the "muffin cap" of our "charity chap" (see Fairholt, 2. 235, 6). The ladies, however, have done *us* the honour largely to adopt something very near our Doctor's hat, under the French name of *toque*, whether from admiration of learning or for more obvious reasons.

The gold cord.—One is tempted to dismiss this conveniently as "mere ornament," but it most probably once meant something more. In the extracts from a MS. of John Buck, "Beadle," 1665, made by Cole the antiquary we read of the Vice-Chancellor and the Proctors and "Fathers," when they preside or "moderate" at an Act, having their caps garnished with *gold lace* (see *Peacock on the Statutes*, App. B. lxxx.)

Comparing the gold border of the Bologna Professor when "holding the chair of Jurisprudence" (above, p. 48) I incline to think that this "garnish" had originally reference to the presiding over an Act or exercise for degree. Whether from this particular connexion with Italy or not, the gold cord has come to be confined, with us, to the secular Doctor's hat, though it apparently once belonged, according to my view, to the caps or hats of all Moderators or Presidents.

Original cap of? Questionist.—The left hand figure on the entrance to the Cambridge Law School is interesting, partly from its indicating the probable predecessor, though not the ancestor, of our modern undergraduate's cap; partly from its casting some possible light upon the original meaning of the disputed word Bachelor. We have here the gourd-shaped skull-

cap, which, having been originally, as I believe, the covering of the shaven ecclesiastical head, came on the one hand to form the lower part of the graduate's cap of dignity and possibly developed, on the other, into that "round cloth cap" which Burleigh in 1588 made *de rigueur* for undergraduates.

The two heads on the Law School doorway probably represented, as I have already remarked, some form of academical investiture: the right hand one, it has been suggested, the Doctor of Civil Law, the left hand one, I will now suggest, the intending Bachelor, in technical phrase the Questionist. It is difficult to say, in the mutilated condition of the figures, whether the material spreading over the ears of this head is hair or part of a cap. If the latter, which seems rather to be the case, this may possibly be an indication that some special form, doubling, or amplification, of the skull-cap, not of course amounting to the Doctor's or Master's *pileus* of dignity, may have come to be recognised as the fitting head-dress, though not an *insigne*, of the inferior academician, whether Bachelor or simple Scholar. This may very well be the origin of that "ugly wideawake," as Mr. Wordsworth calls it, worn by the undergraduates of the seventeenth and eighteenth centuries, to which I shall come directly.

I have briefly adverted to this very questionable subject, of a *quasi insigne* widely worn by the Bachelor, intending Bachelor, or Scholar generally, in my previous article (*A.J.* L. 193). Several of the cases which have been described as "a cap in favour with the learned in general" are, as I have recently (above, p. 42) endeavoured to show, probable modifications or incorrect representations of the *pileus quadratus*. It is not, however, so with the scholar's "travelling cap or pork-pie hat" to quote the phrases which I formerly used. There is a good deal of uniformity in this; perhaps, after all, only a general result of common convenience; but I may just remark that the round cap, generally with a sort of scollop in front, to which I refer, is conspicuously worn by Dante where he stands (*Paradiso*, c. 24) before Beatrice and Peter (Si come il baccelier, etc.) in illustrated copies of 1490 and 1507 to which my attention has been called

by a friend, and in other places less conspicuous which have come under my own observation.

It is I think quite possible that in its origin this scholar's cap is an adaptation of the *hood* worn by him as "*cleric*" or rather of the *scarf* which I believe was a semi-secular or travelling form of the hood (see *P.Q.* 4 and plates) wound turban-wise round the head. These older forms, however, do not resemble either the *pileus* or *pileolus*. The head-dress of the figure on the Law School *does* resemble the latter except for its somewhat questionable turn-up or quasi-brim.

The Bachelors, as we have seen, attained the dignity of the square cap, at least towards the end of the sixteenth century. Besides the incidental evidence from Oxford of distinctive head-dress, from that of the undergraduates, in 1598 (above, 45), I may cite two interesting records from Cambridge. Pepys writes, on January 27, 1662, 3, "I have news this day, from Cambridge, that my brother (probably Robert Pepys, Pembroke) hath had his *Bachelor's cap* put on." A more definite statement of the distinction in question occurs in the diary of Abraham de la Pryme, January, 1694, where he speaks of being "capped" for B.A. by the Vice-Chancellor—"called up," he says, "in our Soph's gowns and our new *square caps* and lamb-skin hoods on." This interesting quotation I owe to Mr. Wordsworth's *Scholae Academicae*, p. 24 (see also *ib.* p. 302).

Loggan at the end of the seventeenth century shows the undergraduates' head-dress still distinct from that of the Bachelors. The former were required, it will be remembered (above, 45, 56), by Burleigh's order of 1588 and Laud's Statutes of 1636, to wear, at Cambridge, a "round cloth cap," at Oxford a "*pileus rotundus*." The former, as shown in Loggan's plate, is a possible descendant of the cap worn by the Questionist (?) on the Law School doorway; the latter is rather more like the lay Doctor's hat, though inferior of course in dignity, as in material.

The Cambridge cap, however, is actually compared by Cole (MSS. in Brit. Mus. XLI.) with the bonnet worn by King Edward the Sixth, and was therefore derived by him from the gentleman's hat of that time. The

brim, too, is specified by the same antiquary, which points in the same direction. The cap was of black cloth, he says, lined with black silk or canvas, the brim with black velvet for the pensioners, and prunella or silk for the sizars.

Perhaps some explanation of the curious names appearing in Loggan, and elsewhere, for the undergraduates of old time may not here be out of place.

According to what seem the most probable accounts the Cambridge *pensioner* is the person, not who is *paid* but who *pays* for his keep. The *keep* or maintenance itself, which is paid for (the nourishment or *battels*) gives his name to the corresponding Oxford *batteller*. The *sizar* or *servieus*, is called from the *size* (short for *assise*), the set allowance of food made to him, for which he did *service*.

In 1769 the Cambridge undergraduates petitioned for the square cap as "a habit more graceful," and it was accordingly allowed them. It is rather a lame story, quoted from Cole by Hartshorne (*Book Rarities*, p. 447), of a change which would seem by the dates and circumstances to have something to do with the unpopularity of the Duke of Grafton, just appointed Chancellor; but I have yet not been able to find a clue. I am also, for the present, unable to say when the square cap was allowed to the undergraduates at Oxford. The Injunctions of Whitgift in 1602 are quoted by Father Robinson as enjoining a *pileus quadratus* upon undergraduates generally; but the Injunction appears only to refer to All Souls.

I am obliged again to differ from this highly respected authority (see above, 45) as to the origin of the undergraduate's trencher or mortar board—at least as far as Cambridge is concerned. The square cap for which our undergraduates petitioned was obviously that already used by the graduate, the descent of which has been traced from the *pileus* of honour. The differences between the highest academical square cap and that of the undergraduates would merely be, as it seems to me, in *material*—perhaps in tuft or tassel—not in *shape*. But it may have been otherwise at Oxford.

Such zeal at Cambridge to assume the square cap

seems rather amusing to those who know our undergraduates of to-day. But they are meek little creatures in Loggan's plates both for Cambridge and Oxford—something in face like Mr. Verdant Green as a freshman. Development into the same gentleman's form, as a second year man, probably came some time *after* the square cap had been allowed. There were obvious jokes, at Cambridge, about "squaring the circle," etc., for which I must refer to Wordsworth's *Social Life*, etc., p. 512, and Dyer's *Privileges*.

Baculus or *ferula*.—As it is not strictly a matter of costume, I have left to the last the consideration of the *stick* or *rod* which the right hand figure on our School's doorway is apparently presenting and the left hand figure holding; in the latter case the rod has been a good deal destroyed. In my view this representation of the same thing in two places at once is an almost unavoidable device of the sculptor, meant to depict a transfer, and these figures represent some investiture of a degree or office by delivery of a rod. Of such investiture we have recorded a very remarkable instance in Stokys' account of the "enteryng (= creation) of a Master in Gramer." "The Bedyll in Arte shall bring the Master of Gramer to the Vice-Chauncelar delyveryng hym a Palmer wyth a Rodde whych the Vice-Chauncelar shall gyve to the seyde Master in Gramer and so create hym Master" (*Peacock on the Statutes*, etc., App. A. xxxvii). A similar *donatio ferula ac virgis* at Oxford would seem merely to have conferred the Licence to teach Grammar, according to Wood (*Hist.* II. p. 4); although I find one entry in the early Register allowing the *traditio ferulae cum virgâ* to suffice for the *creation* of a Master in Grammar *non obstante quocunque statuto* (*Reg. Univ. Oxon.* I. 64, anno 1508). I would refer to Peacock for the interesting addition of the "shrewde Boy" who is to be "purvayed" for the new master to "bete openlye in the Scolys." The Palmer is, I think, the *ferula* or stick, the Rodde a *birch*, of which an unmistakeable specimen is held by the figure of a Master (? of Arts) on the frontispiece of a *Compotus Manualis* printed by C. Kyrforth at Oxford 1519–20. I owe to Mr. Chris. Wordsworth the reference to this curious plate. The

fanciful *insignia* worn by the figure—tippet and Tam-o'-shanter hat with laurel wreath—appeared to me to be perhaps suggested by that short-lived Doctorate in Arts which is mentioned in Emil Reiche's monographie "Der Gelehrte," but it may only be intended for the Master.

Are we then to consider the scene represented on our Schools' Doorway as the creation of a Master of Grammar? In any case I should not take the right hand figure for the Vice-Chancellor. The older practice was always, as it still is at Cambridge, both in Arts and the three Faculties, for the degree of Master or Doctor to be conferred by the Faculty itself—the Proctors now representing Arts, the three Regius Professors the three higher Faculties. I take it, then, that the right hand figure represents a Master or Doctor in the Faculty, be it Grammar or Law. Into the obsolete and obscure subject of the old Master of Glomery I cannot now go, and must refer as before to Dean Peacock's Appendix (xxxii–xxxvi).

Assuming the possibility of a degree or licence conferred, as suggested, by the Faculty, we must admit that the *locale* is not unsuited to Grammar. Grammar, though certainly reckoned below the Arts course as a whole (see Mullinger, *University of Cambridge*, I. 343), was a part of that course, and the building in question was erected for purposes of Civil Law *and Philosophy*, another name for Arts. But there are, as has been shown above (p. 52), the strongest reasons for connecting the School principally with the *legal* faculty. I venture therefore to suggest that this may be the representation of some forgotten ceremony by which the *status*, scarcely yet a *degree*, of Bachelor—the "teaching scholar" as Savigny calls him—was conferred in much the same way as the Mastership in Grammar. No doubt the *rod*, single or multiple, might have a more directly practical meaning in the earlier branches of study; but it does not seem impossible, and there is also some slight authority for the supposition, that the not uncommon practice of investiture by delivery of a *rod* may once have been connected with the Baccalaureat generally. As this, however, involves a somewhat heretical opinion on the derivation of the word *baceler* or *bacheler* (Chanson de

Roland, 113, 3020, probably the oldest occurrence of the word), which is, it is admitted, a very questionable matter, I must give my heresy rather more in full.

Baccalaurei are mentioned in the Ancient Statutes of Michael House and of St. Peter's, Cambridge, in 1324 and 1344. The form may occur a little earlier, but is, I think, comparatively late, probably connected with an absurd derivation from *bacca laurea*. This derivation again obviously led to stories of a laurel wreath and fanciful plates of legal graduates, which we sometimes find in frontispieces to old law books. An edition of the *Consilia* of the Italian jurist Tartagna published at Lyons 1544 gives a quaint representation of the favourite mediaeval "*Trionfo*" familiar to collectors of old Petrarchs—in this case a triumph of Justice. Ingenuity may sort the procession into Bachelor, Licentiates, and Doctor; however that may be, the figure holding a laurel wreath comes first. The same supposed connection of degrees with the laurel may also have helped to the devising of new and fanciful *insignia* for the short-lived Doctorate of Arts mentioned above (p. 69). I may note, however, that the special emphasis laid, from this mistaken derivation, upon the *berry*, has nothing to do, as I once supposed it had, with the German name *Lorbeer* given to the plant generally; that apparently arbitary nomenclature is very early, and depends on the supposed value of the laurel *berry* in old Medicine. I must return, however, to older and less misleading forms than *baccalaureus*.

In the statutes of Bologna and other ancient documents of that University the word is spelt *Baccalarius* or *Bachalarius*, and there are indications that it was first introduced by popular parlance (*e.g.* "*Vulgariter Bachalarii vocantur*"), perhaps from abroad, and afterwards recognized by Statute. (See Savigny, *Gesch*, III. 248 *n*, 240, 609: Scarabelli in his Dictionary takes the Italian *Bacalare* from the French.) *Baculavii*, if I can rely upon Brewer's spelling, appear together with *Magister*, at Oxford, according to Roger Bacon (*Opus Minus*, p. 328 of Rolls Series edition), in 1267. The passage has reference to Paris; and, being written some time after the considerable influx of students from that

University about 1230, may well represent institutions connected with that influx.

On the whole it seems most probable that the original home of the word and the idea was France (so Conring), and that the degree or academical status was first developed in Paris. Further it would seem that this grade or status was *not* originally academical, but that the oldest use of the word was connected with the lower order of knighthood. Hence it was that the academical Bachelor was called Sir and Dominus, the Doctors or superior teachers being in the thirteenth century, according to an authority quoted by the Abbe Peries (*Faculté de Droit*, pp. 26, 166), styled *Chevaliers*. But the old derivation from *Bas Chevalier* is quite unprecedented and now universally abandoned.

According to Littré's derivation, which is the one most usually accepted, *Bachelier* comes from the low Latin *baccalaria*, an estate of some ten *mansi*, or from the rustic tillers of such an estate. Hence we pass—rather, I think, *per saltum*—to the young soldier not yet made *chevalier*, and from him, by a more natural transition, to the young academical aspirant after the higher grade of Master or Doctor. This derivation is on the whole accepted by Murray, in the great Oxford Dictionary, the suggestion being added that *baccalaria* may be derived from *bacca* late Latin and Romanic for *vacca* through *baccale* or *vaccale* formed like *ovile*. This explanation is fairly satisfactory for the rare word *baccalaria*, but seems to me very unsatisfactory for *bachelier*. If the original meaning is *countryman* or *cultivator* this scarcely suits that of young knight; if *tenant of a small estate*, the *baccalaria* seems to have been rather a large one.

At the end of his article Littré suddenly springs upon us the Celtic *bachall* or *bacal*, a stick or piece of wood, which Diez (*Rom. Wört.* 84) considers to agree in *form* with *baccalarius* through not in logical connexion. Littré holds it "not entirely improbable" that the meaning of "a piece of wood" might pass into that of "a sort of rural domain." Others may not be of this opinion.

A connexion with the Celtic *bach* (little) long ago

suggested in *Notes and Queries* and approved by Wedgewood, and Donkin in his English edition of Diez (p. 50), is positively rejected by Murray, though Professor Skeat does not apparently, in the supplement to his Dictionary, look on it with so much disfavour. It would of course easily lead to the meanings of *youth* and *unmarried man*; but these might also be secondary significations arising out of the initial stage of chivalry.

The suggestion that the Bachelors were so called from the Bedell going with his *mace* to summon and precede them (see Spelman *infra*) of course abandons any derivation of the word from that stage. The mace is generally called *virga*, though *baculariu*s is said in Ducange of a *verger*. Apart from other objections, I think this ceremony would scarcely be made specially distinctive of the *lower* degree or stage. This derivation is however adopted by Mr. Wordsworth (*Univ. Life*, 208, 357).

That preferred by Spelman (under *bacalarius*) for the academical Bachelors, is that they were so called *a bacillo* because they had now attained their first authority to *teach*, which was granted to them by the presentation of a *bacillus*, a little stick or rod. The same derivation is given by Panciroli (*De claris legum interpretibus*, 2. 1. p. 77). This may of course be one of those vague statements of fact which are so often improvised to bolster up a lame theory. Spelman, however, is a cautious authority, as appears from his own admission that the only use of a *baculus* that he can find in graduation is that of the Bedell's Staff (see above). The common authority of these writers is probably Rhenanus, who in his *Admonitio ad lectorem* on Tertullian (p. 899 of Froben's Lyons ed. of Tertullian, 1562) distinctly alleges some mention, by the older books in the University of Paris, of this *baculi traditio* as a sign of investiture of or entry into a certain *studium*, that word being here apparently used in the sense of *teaching profession* generally, not simply or exclusively in Grammar. I do not see that this explanation precludes the derivation of the academical term from a previous use in chivalry, with which such investiture of a function or office by delivery of a *rod* is quite consistent. We may also compare the delivery of the Pastoral Crook to a Bishop, though that of course

has a special signification of its own, "*Per baculi formam Praelati discito normam*," we read *à propos* of Grostète (see *Proc. Soc. Ant.* xii. 1. p. 105).

I understand Diez, whose authority stands with me, as I think with most, very high, to object to derivation of the older forms of this word from *baculus* or *bacillus*. If, however, his preferred *bachal* has the same meaning, the objection comes to little more than the sceptical school-boy's as to the poems of Homer being written not by him but another person of the same name. And the substitution, in slightly later time as it appears to be, of *bacularius* for those older forms, looks like a conscious identification with *baculus*.

I admit the difficulty of having to presume the existence of a ceremony as to which we have such very scanty *obiter dicta*; but the idea of investiture is in itself a satisfactory one, and to my mind much more likely than derivation from an estate which would naturally furnish a much larger following than that of the humblest knight. We must also bear in mind the extremely fragmentary nature of the accounts which have come down to us, as to our early forms for the conferring of academical degrees: the oldest systematic authority on the subject (Stokys) dating more than a hundred years after the execution of the sculptures on the Civil Law School.