

AN HISTORICAL STUDY OF THE POWERS AND
DUTIES OF THE PRESIDENCY IN
YALE COLLEGE.

BY FRANKLIN B. DEXTER.

MY OBJECT in the present paper is to offer a brief historical view of the development of the powers and functions of the presidential office in Yale College, and I desire at the outset to emphasize the statement that I limit myself strictly to the domain of historical fact, with no bearing on current controversies or on theoretical conditions.

The corporate existence of the institution now known as Yale University dates from the month of October, 1701, when "A Collegiate School" was chartered by the General Assembly of Connecticut. This action was in response to a petition then received, emanating primarily from certain Congregational pastors of the Colony, who had been in frequent consultation and had by a more or less formal act of giving books already taken the precaution to constitute themselves founders of the embryo institution.

Under this Act of Incorporation or Charter, seven of the ten Trustees named met a month later, determined on a location for the enterprise (at Saybrook), and among other necessary steps invited one of the eldest of their number, the Reverend Abraham Pierson, a Harvard graduate, "under the title and character of Rector," to take the care of instructing and ordering the Collegiate School. The title of "Collegiate School" was avowedly adopted from policy, as less pretentious than that to which the usage at Harvard for sixty years had accustomed them, and there-

fore less likely to give excuse for interference on the part of any outside authority; and the title of Rector instead of President followed a similar design. The duties assigned to the Rector were mainly concerned with the direct instruction of students; while the subjects and mode of instruction, as well as the general course of discipline, were carefully prescribed beforehand by the Trustees themselves. The instruction by the Rector thus provided for was intended mainly for the Senior class, besides which he was expected to expound (as was the practice of the Harvard President) a portion of scripture before the assembled students at morning and evening prayers. His responsibility for enforcing the general laws and orders of the Trustees he shared from the first with a Tutor. It may be noted that this limitation of the powers of the head of the College was totally dissimilar to what the Trustees as graduates of Harvard were accustomed to in that seminary; and possibly this was due in part to their observation of the independent course of Increase Mather, then President of Harvard, and their purpose not to be ruled after like fashion by any President or Rector whom they might select. This system—of a Rector and one Tutor—continued until Pierson's death in 1707. The records and traditions of this brief period—less than six years—are too meagre and indistinct to throw much light on the first Rector's personality and work. It is clear, however, that he was second only to James Pierpont in leadership among the early Trustees, and a man of positive characteristics, who held the respect of his colleagues and of the constituency which stood behind the new enterprise. Unable in his brief term of service to divest himself (as he had expected) of the cares of a parish, he had little opportunity to make any lasting personal impression on the development of the College, or even to illustrate his own ideals.

On his sudden death the Rectorship was committed nominally to another Trustee, the Rev. Samuel Andrew of

Milford; but it is evident that he from his more distant residence undertook merely the perfunctory obligation of serving as referee for the Tutors who were left in charge of instruction at Saybrook, and of occasional journeys thither to advise in special emergencies, or to preside and sign diplomas at Commencement. This temporary arrangement continued, however, for a dozen years,—a time of large responsibility for the Tutors, of sharp internal dissensions among the Trustees (on the question of the permanent site of the College), and of insignificant numbers in the student body, which never rose as high as forty. It is clear that Rector Andrew minimized his office and in nowise put himself forward, either as a leader in the deliberations of his colleagues, or as the ultimate authority in the government of the students. During the bitter struggle which resulted in removal to New Haven, he exercised no influence beyond siding mildly with the New Haven party; and on the only occasion of special note during his rectorship, the jubilant celebration of the first Commencement at New Haven, in 1718, he took no noticeable part. It is hardly possible to conceive of a more colorless administration of the office than his, or of one with less influence in determining the tenor and scope of the powers and duties involved; and this is perhaps the more remarkable as he had undoubtedly been chosen in part because of his early experience as a Fellow of Harvard College for five years (1679–84) at a time of special responsibility, including two vacancies in the presidency.

The year 1718 saw the school thus settled in New Haven, and the name of Yale College assigned to it, in pursuance of a friendly suggestion of Cotton Mather and in recognition of the bounty of Elihu Yale. At the next Commencement the first attempt was made that we hear of since Pierson's death to fill the rectorship, still held after a *pro tempore* fashion by Mr. Andrew; and the attempt was connected with the desire to attract the seceding students

who, after the abandonment of Saybrook, had migrated to Wethersfield and set up there a rival school, under the care of a resident clergyman, the Rev. Elisha Williams. Overtures were first made to Mr. Henry Flynt, long remembered as "Tutor Flynt" from his tenure of that office in Harvard College for the unprecedented term of fifty-five years; and on his declination resort was had, provisionally, in March, 1719, to the Rev. Timothy Cutler, a native of Massachusetts and a Harvard graduate, now thirty-five years old, and for the past nine years pastor of the Congregational Church in Stratford, Connecticut. As a son-in-law of Rector Andrew his selection was acceptable in that quarter; but not without misgivings was it sanctioned temporarily by a majority of the Trustees, by some of whom it may have been at least suspected that one reason of his willingness to leave the pastorate was an awakening doubt of the validity of Congregational ordination. A preliminary trial of ten weeks' service proved satisfactory, and the new Rector was then confirmed in his office with general approbation. In the arrangements for his support was included the payment of a degree-fee of twenty shillings from every student at graduation—a form of perquisite which had been proposed long before by Rector Pierson, but was now first voted, and has ever since pertained to the Presidential office.

Rector Cutler was also acceptable to the General Assembly of the Colony, and at their first session in New Haven after his settlement they voted to free his estate from taxation as long as he retained the Rectorship. This arrangement was continued substantially for over a century, and then abandoned by common consent. A little later the Assembly devoted the proceeds of a special brief, and the import duty on rum for two years, to the expense of building a house for the Rector, which had been in contemplation from the time of the first suggestion of removal to New Haven.

The house was completed at Commencement in 1722, but not for Timothy Cutler's occupation, for he signalized that occasion by an avowal of belief in Episcopal ordination—a change so violent in the eyes of that generation as to leave room for no other action on the part of the Trustees than his immediate dismissal. In his case, even more truly than in that of Rector Pierson, the time was too brief to admit of his personal character making any permanent mark on the office or on the institution. But his later career, in charge of a Church of England mission in Boston, betrayed an imperious, narrow and quarrelsome spirit, ill adapted to the successful ordering of a college community or the consolidation of power in the presidential office. After this mortifying experience Mr. Andrew shrank from holding even his former semblance of authority; and more temporary arrangements for monthly supervision by the Trustees in rotation were resorted to, while another Rector was looked for. The quest occupied three weary years, and among those who were offered the place in vain were the head-master of the Boston Latin School, Dr. Nathaniel Williams; the first Professor of Divinity in Harvard College, Edward Wigglesworth; two of the Yale Trustees, the Rev. Eliphalet Adams and the Rev. William Russell; and probably, also, in a less formal way, William Smith, Esquire, of New York, a recent and popular tutor. To an old resident of Boston like Dr. Williams, or one holding a life appointment at Harvard like Professor Wigglesworth, a removal to New Haven must have seemed like exile in the wilderness, with few compensating advantages; while the parishioners of Adams and Russell were obdurate in refusals to release the ministers of their choice. The General Assembly expressed a keen interest in the search, and on being appealed to at this juncture for the construction of certain ambiguous points in the College charter, with reference to the provisions for a quorum and for replacing incompetent or absentee Trustees, they went

beyond the letter of the appeal, and of their own motion passed an explanatory act or addition to the charter (in 1723) which met these questions, and among other supplementary regulations provided that the Rector should henceforth be *ex officio* a Trustee during the time of his rectorship. Such a provision was an entirely natural one, and agreeable to the precedents at Harvard; but it had not been suggested by the Trustees themselves, and was so far from being acceptable to them that it was sturdily ignored until five years later.

In 1725 a new Rector was at last found in the person of the same Rev. Elisha Williams of Wethersfield, who had already proved his capacity as an acceptable teacher to the disaffected remnant which had long resisted the settlement of the College at New Haven. He was a younger man than most who had been thought of for the office, in full vigor, of a prolific, widely influential and aristocratic family stock with its chief seat in the valley of the Connecticut, acceptable to the political leaders of the Colony, and secure in the respect of all his clerical brethren. He was inducted into office in September, 1726, and bore himself so graciously that after two years the Trustees silently waived their scruples on the point of prerogative, conformed to the Assembly's Act of five years before, and enrolled the Rector as one of their own body, *ex officio*. Their ultimate surrender was certain, but that it was no longer postponed is a significant testimony to Mr. Williams's tact and prudence. But not until nearly ten years later did he so far establish himself in his place as to be called on to preside in the meetings of the corporation—a duty assigned thenceforth to the Rector.

The most notable incident of Mr. Williams's term of office was a remarkable series of gifts from Dean, afterwards Bishop, Berkeley, in favoring the acceptance of which the Rector showed his large-mindedness, while other responsible advisers were counselling rejection through

fear of a proselyting design. For thirteen years Rector Williams remained in office with undiminished favor, and his retirement at the early age of forty-four was professedly due to impaired health, though there were those who believed him influenced by ambitions of a wider sphere in civil life. He survived during a long subsequent career of varied and excellent service to the State; and this maturer period showed, on a more conspicuous stage than college walls afforded, his remarkably versatile powers, his capacity for leadership, and his rare social graces.

A new Rector was found without delay, selected partly, there is some reason to think, on Rector Williams's recommendation, namely, Thomas Clap, the parish minister of Windham, in the northeastern county of the Colony. A Harvard graduate, now in his thirty-seventh year, he had come especially into notice among his fellow-clergy as a pillar of rigid orthodoxy in eastern Connecticut, and conspicuously firm and systematic in the administration of discipline in his church and congregation. Posterity cannot doubt that the choice was a wise one, ensuring a long period of orderly development and consolidation. The change, however, from Rector Williams to Rector Clap was not in all respects an advance, the former being on the whole a man of broader and more generous sympathies, while Clap was fundamentally narrow and comparatively provincial in his instincts and prejudices. The new Rector's energy made itself felt at once, in more stringent discipline and a larger insistence on the public notice. Immediately also he began an agitation for a new college building. But the change of régime as shown in the records of the Corporation's meetings is perhaps most striking. Rector Williams, originally present by sufferance only, had never gained the advantage of an entirely free position; while Clap from the outset assumed as of right the place of leader—though the youngest in years of the whole body,—and by beginning to mould at once the policy of

the institution soon reaped the benefit of his confident audacity. His great achievement was a remodelling of the charter, which he carried through the corporation in 1744, and through the General Assembly in 1745, at a time when that body was favorably impressed by his agreement with them in regard to putting down lawless "New Lights" in theology. By all odds the most significant and most far-reaching provision of the revised instrument was the transformation of the Board of Trustees, of which the Rector was a recent and undistinguished member, into a new corporation, styled the President and Fellows—the President (that is, the former Rector) being the centre and head of the whole, and the rest of the Board (that is, the ten successors of the original Trustees) his coadjutors or Fellows—a tremendously momentous revolution, marking an authorized though perhaps unrealized transfer of the seat of power, which would probably have been thwarted a few years earlier, when those of the older generation of Trustees who retained with more force and tenacity the original conception of their office were still active in the counsels of the Corporation. I view this revision as a turning point in the fortunes of the College. Under the charter as it was, the assumed power of the Rector, such as Clap was wielding, rested on no stable foundation. After nearly fifty years that officer was still in law merely an upper hired servant or resident agent of the Trustees, subject to peremptory dismissal with or without cause by a majority of those who had appointed him, while the office itself might be abolished at pleasure. The revised instrument proceeded on a wholly different theory and created what was practically a new office, no longer one of instruction but one of government wholly, to which was transferred a large share of the responsibility assumed in the beginning by the founders. The ultimate responsibility was of course still left with the whole body, as the appointment of a President remained in their hands; but when once chosen

his authority was paramount and his position practically unassailable, except (like the rest of the Board) "for Misdemeanor, Unfaithfulness, Default, or Incapacity." For this concentration of power and responsibility, which has throughout approved itself in practice, the College is indebted to the strong will and astuteness of Thomas Clap, and the institution is to be counted fortunate in having secured at so early a day official sanction for a mode of development which has so fully met her needs.

One immediate fruit of the President's new powers was a revision of the laws for undergraduate students, which had hitherto followed closely in form and substance the statutes made by the Trustees at the beginning, but were now completely remodelled, in accordance with the President's experience, aided by a study of all available precedents. The general drift of this revision was in the direction of more precise and definite enactments. The course of study was prescribed in more detail, with a larger provision for mathematical training, in accordance with Clap's strongly held convictions of the importance of that branch of learning.

Other evidences of the President's activity consequent on the new charter were the adoption of a plan for the founding of the earliest Professorship in the College and the beginning of a new college building, of brick, still standing. Under his lead, also, a decision was arrived at in 1753 for setting up separate Sunday worship for the College congregation, followed by the organization of a College Church—steps which had a great influence on Yale life, but which cost the President the favor of the General Assembly,—such changes being understood as a practical abandonment of the position which he had been supposed to hold, of support of the Connecticut parish system, and opposition to what was known as separatism and the existence of separate churches. The dissatisfaction on these grounds and on others connected with his general mode of

administering College discipline was wide-spread and outspoken, and as early as 1756 there began to be rumors of a visitation of the College, ordered by the Legislature, as the source of its charter, with the object of checking Clap's arbitrary and imperious course towards students, Corporation and Assembly alike. These threats culminated in 1763 in a formal petition for such action, which was advocated before the Assembly by as able counsel as the Colony afforded, and was successfully opposed single-handed by the alert and wary old President, whose victory on legal grounds was complete and permanent. But his victories were not won without personal loss. His bluntness and arbitrariness were bitterly uncomfortable both to his Fellows in the Corporation and to the students and their guardians; and after upwards of twenty-six years of unremitting and ill-requited service his sun went down in gloom. The size of the classes in his last years diminished sensibly, the undergraduates were encouraged by outside influence to riotous behavior, there was a conspiracy to prevent the filling of the tutorships; and baffled and defeated the old hero finally resigned his office, voluntarily, but almost of necessity, in 1766, at the age of sixty-three, and his death followed pathetically within four months' time. Any summary of his services should mention also his organization of government by the Faculty, which became ultimately a marked feature of the development of the College, though under his dominant leadership the participation of the Tutors in Faculty deliberations was far more a matter of form than of reality. The language of the laws drawn up by Clap in 1745 was that "The Executive Power of this College is principally in the President, who hath power to govern the College and every student thereof [etc.], provided that in all cases of difficulty and importance he shall consult and advise with the Tutors"; but the students readily perceived that practically the power was all lodged in the President's hands, and at a

late date in Clap's presidency they sought relief by moving the Corporation to authorize *appeals* to their body from the subjects of Faculty discipline. Clap opposed this request as tending to weaken the resident authority, and characteristically carried his point by bringing the Corporation to vote to receive *petitions* only, but not appeals.

An attempt was made to fill Clap's place by the election as President of one of the Fellows, the Rev. James Lockwood, but he declined the offer, and as the most natural makeshift the Rev. Naphtali Daggett, the incumbent of the only professorial chair, that of Divinity, was made President *pro tempore*, and officiated on these terms for eleven years. Though this period was not without expansion in some directions, and contributed notably to the dignifying of the tutorship, through the illustrious examples of some who held that office, it had no significance or value in the development of the Presidency.

In 1777, at a time of great national discouragements, the Rev. Dr. Ezra Stiles, one of the most eminent living graduates, who had also served successfully under Clap as tutor and had imbibed much of his spirit of devotion to the College, was called with universal approval to the Presidential office. A liberal theologian (for his time), a scholar of multifarious learning and unflagging industry, a man of wide personal acquaintance and avowedly the choice of the leaders in the General Assembly, he was especially relied on to heal the breach between the State and the College which had resulted from Clap's loss of popularity, and to inspire the public with renewed confidence. In the main these hopes were justified, and due allowance being made for the adverse effects of deep poverty and of public depression, the institution flourished in numbers and in prestige during the seventeen years of Dr. Stiles's administration, the graduating classes for that time exceeding slightly in size the corresponding classes at Harvard. A complete university was one of the President's ideals, and

at the earliest possible moment after the settlement of public affairs, in 1783, he secured the appointment of an agent to gather subscriptions for professorships of law and medicine, with the design of emphasizing thus the university idea, but the time was not ripe for so large a plan.

It was owing in part to his large-minded reasonableness that an arrangement with the State, by the powerful aid of the Treasurer of the College, the Hon. James Hillhouse, was finally arrived at in 1792, by which, in return for the admission of the Governor, the Lieutenant-Governor and six Senators into the corporation, certain substantial benefits were conferred on the College, including funds for a new dormitory and provision for future professorships which were established in the next administration. This form of union with the State had been proposed in connection with Dr. Stiles's accession, in 1778, but was distrusted at first by the Corporation, who looked on it as a partial surrender of the ground so insistently held by President Clap in his argument against visitation. Dr. Stiles lived on the most harmonious terms with the tutors in the Faculty and took their advice informally on matters of common concern; but he magnified his office, and of formal meetings of the Faculty and so of government by the Faculty in his time there is no trace. With all his outstanding excellencies Dr. Stiles did not vie with his great predecessor in the rôle of an innovator, nor was he ever quite sensible of the democratic changes resulting from the Revolution. Venerable beyond his years, even at his accession, though in years also he outnumbered those who had preceded and the most of those who have followed him in his office, the prevailing note of his administration was conservatism rather than progress, and with the single exception of alliance with the State the distinct advances accomplished in his day were all on lines laid down by Clap; and although under his care the professoriate was slightly enlarged, the course of study somewhat broadened, and

the fame of the College further extended, his administration was not one which the best friends of the institution could desire to have continue beyond its natural limit. And the vacancy caused by his sudden death in 1795 was filled with promptness by the election of a neighboring Connecticut pastor, Timothy Dwight, who had abundantly proved his rare skill as a teacher and whom Dr. Stiles himself had long viewed, not without jealousy, as his own probable successor.

The very antipodes of Dr. Stiles in intellectual equipment and interests, with his face towards the future instead of the past, we date the beginning of the modern period of the College history from the advent of Dr. Dwight. He found the College in essentials the same institution which the Trustees of a century earlier had roughly shaped, and which Rector Clap had settled into a permanent groove, and it was Dr. Dwight's fortunate opportunity, in sympathy with the awakening spirit of the time, to introduce the era of expansion on university lines which is still in progress. Besides his peculiar gifts as an instructor and preacher, by his sagacity and promptness in attaching young men of promise to the permanent service of the College, and his readiness to appreciate and to utilize the opportunities for the establishment of a group of professional schools, he made himself specially remembered. It is true that, in regard to the latter point, he was privileged in his lifetime to see but one of these schools, the Medical Institution, in active operation, but the germ of the Law School was planted by the appointment of a Professor of Law, and the Divinity School which was begun a little later was equally within his plan, and it is owing to his practical wisdom that as these were established the precedent was effectively settled of rendering each from the outset in its finances and its internal government wholly independent of the original Academical Department or College and of every other department. It

was natural, however, from the historical relations of things, that as these new departments were added the President was less concerned in their immediate management than in that of the original undergraduate college; and it was just also that undergraduate college instruction should continue to absorb the main part of his time and energy, as the whole of his official income was drawn from undergraduate academical funds.

Dr. Dwight was eminent among all who have held the presidency for his commanding personal influence, and his confident joy in the exercise of this gift led him to rely upon it in matters of College discipline, to the exclusion to a large extent of judgments by the Faculty. The same quality made itself felt also to a degree before unknown in welding together the alumni and making of their united loyalty a new and hopeful source of strength.

In filling President Dwight's place at his death, in 1817, a new departure (new at least for Yale) was made, of the highest value for the prosperity of the College. The Corporation made one effort, happily in vain, to secure for the Presidency a graduate of some distinction from outside, and then advanced to that position a modest member of the Academic Faculty, who had shared Dr. Dwight's counsels for the most of his administration and was known to the great body of the graduates as a part of their College life. A large share of what Yale College has accomplished in the eighty years since President Day's election is referable to a continuance of the same policy, in maintaining the identity of the institution and holding the sympathies of the alumni under a succession of chief officers promoted from the corps of instruction and so in some measure practically familiar from their experience with the conditions of their new work.

President Day, whose term of office continued from 1817 to 1846, had no such dominating personality as Dr. Dwight, and his relations with the College Faculty, the

leading members of which were his contemporaries in age and his lifelong associates, were naturally on a different footing. Though nominally since 1745 the Faculty had been recognized as sharing to a certain extent at least the executive power with the President, it was not until Dr. Day's administration that this responsibility was conceded in its full significance and put in practical exercise. After Rector Clap's remodelling of the charter no change affecting the distribution of power of equal moment with this has to be chronicled. Besides this notable entrance of the College Faculty under President Day into its legitimate domain as the joint arbiter of discipline, another concrete instance of his judicious policy was the gradual development of the unwritten law which has since obtained in all ordinary cases that in matters of other than financial importance affecting any department, such as the appointment of a new officer or the establishment of a new course of study, the Corporation will act only on the reception of a nomination or recommendation from the permanent officers of the department concerned. By such an understanding the responsibility of the Corporation is unimpaired, while a necessary and sufficient stimulus is supplied for the interest and concern of the several Faculties in the best development of the institution. An incidental illustration of the same policy and of the consequent relation of the Faculty to the growth of the College, is that the Faculty originated and carried through, with the President's full approbation and support, the first movement at Yale for a general subscription to the College funds, that known as the \$100,000 fund of 1831. After the longest Presidency which the College has yet known, with grave judiciousness and peaceful continuity as its distinctive notes, President Day retired to private life, at the age of seventy-three, in 1846.

His successor, President Woolsey, had already served for years as a Professor, and his transfer to a new office

involved no change in the general principles of government to which the College was accustomed, and the same words may be used with relation to both the subsequent holders of the office, President Porter and the present head of the University. The most important change in the duties of the chair grows out of the expansion of recent years into a University, with added departments and multiplied interests, which has rendered it impossible for the presiding officer longer to undertake such an amount of teaching as his predecessors had from choice continued to give, though the statutory obligation to class-room work ceased absolutely at the revision of the charter in 1745. The specially close relation, however, of the President with the internal administration and discipline of the undergraduate college department which has hitherto continued, even subsequent to the virtual disuse of the teaching function, may perhaps be destined to be soon severed, especially as the University funds now provide for the salary attached to his office. In the future, no doubt, general executive and administrative duties will prove more and more absorbing, and the personal influence of the President on the individual student, which counted for so much in the century spanned by Stiles, Dwight, Day, Woolsey, and Porter, will be distinctly missed in the group of educational forces offered at Yale. But in forecasting the future I am wandering from the historian's function, to which I am limited, and I need only add that my purpose is fulfilled by this brief outline of facts.

Copyright of Proceedings of the American Antiquarian Society is the property of American Antiquarian Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.