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MAIDSTONE GRAMMAR SCHOOL 1833-1882

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The dissolution of Maidstone's College of All Saints followed by the closure of the Fraternity of Corpus Christi in 1547 was part of the continuation of the Protestant Reformation started by Henry VIII and carried on by his son, Edward VI. One of the objects of the Reformation was to allow the establishment of new schools and the Crown was prepared to hand back the Brotherhood Hall of the Fraternity for a school if the burgesses paid the considerable sum of £200. After some delay, and a sharp warning to hurry up from Edward's Lord Protector, the duke of Somerset, the burgesses arranged to collect together £205 4s. by selling the ornaments of All Saints' Church. They were then granted a Charter in 1549 that appointed a mayor, jurats and commonalty and, furthermore, allowed them to establish a grammar school in the Brotherhood Hall. Other houses, cottages and lands in the town, at one time possessions of the Fraternity, as well as the chapel and burying ground of St Faith, part of the possessions of the College of All Saints, also came with the deal. Streatfeild's history of the School¹ gives an excellent account of these troubled times and the late Geoffrey Phillips's book² also makes for good reading.

A Master, the Revd Thomas Cole, was appointed but according to Streatfeild his theological views were too lively for the times. He was made Dean of Salisbury in 1552 but fled the country³ in the following year on the accession of Mary I. A rebellion led by Sir Thomas Wyatt of Allington greatly displeased Catholic Mary and she was even more displeased to hear about the selling the altar plate of All Saints' Church. The outcome was that Maidstone lost its charter and Sir Thomas his head.

The accession of Queen Elizabeth in 1558 led to the town being granted a new but similar charter in the following year. The School was reformed in the Brotherhood Hall (**Fig. 1**) with a new Master, the Revd Ralph Moore, at a stipend of £10. In the years to follow various small endowments came to the School. These included the rent charge on land at Sutton Valence and Biddenden given by William

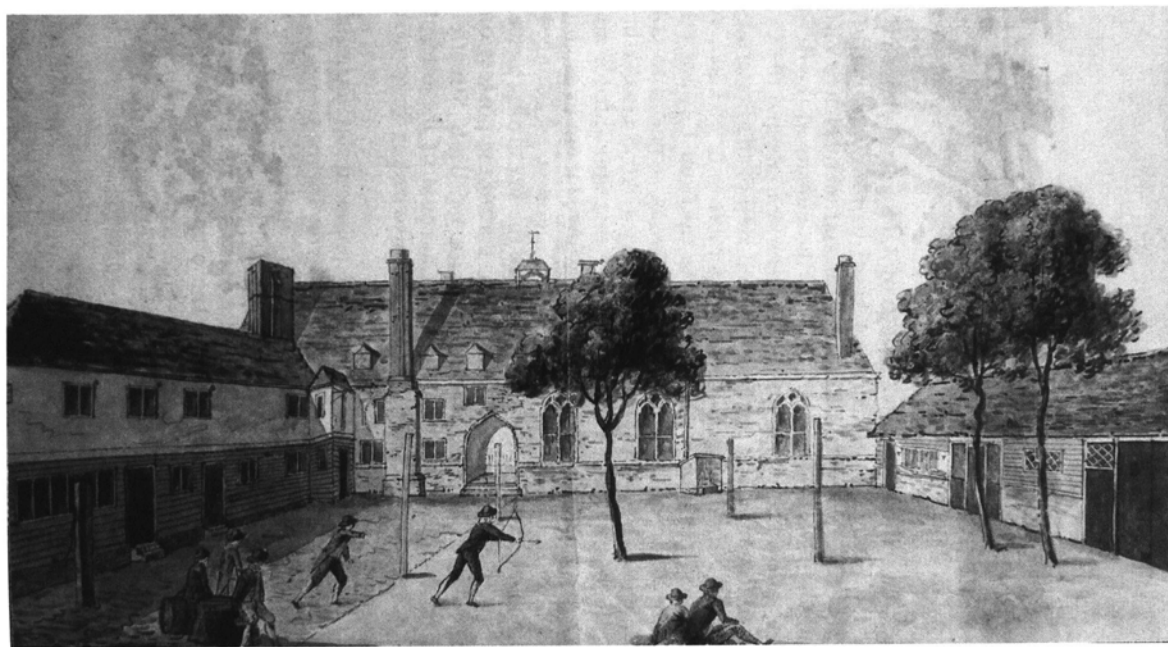


Fig. 1 The Hall of the Corpus Christi Fraternity. (Courtesy Maidstone Museum)

Lambe valued at £10, an annuity of £6 payable by the incumbent of Hoo, near Rochester, and the rent on 16 acres of land in Romney Marsh given by Dr John Davy in 1649. The value of this rent changed with the years and in the 1860s it was worth £36. These sums of money formed the only endowment of the School and in the first century of its existence were probably satisfactory. The Master lived on the premises free of payment of rent and rates and the Corporation paid any bill for repairs.

The Rules of 1575 promulgated by the Revd Rowland Stubbersfield, Mr Moore's successor, introduced small charges for the 'common box'; 12*d.* if the scholar lived outside the liberty and parish of Maidstone and 4*d.* should one live inside 'whiche shalbe employed to the mayntenance of common Bookes needefull in the Scole as a Dictionary & other lyke'. There was the possibility of the Master making a little profit from these charges and when in 1650 further changes were made to the Rules there were small increases in the Master's stipend.

By the beginning of the nineteenth century there had been no increase in the endowment and the Master supplemented his income by charging fees and taking in boarders. In 1818 the Master was the Revd Edward Mott Allfree and in response to questions by the newly formed Charity Commissioners he said that he was receiving four guineas a year from the sons of freemen and six guineas from the sons of non-freemen. He considered that any freeman had the right to send his son to the School to be taught the classics free; the fee was charged for the extra subjects. He believed it was optional to accept a son of a non-freeman. There were only 28 boys in the school, of whom 15 were boarders. He also said that he had no rules or orders for the regulation of the School but that the Corporation was satisfied with the way he ran it. Perhaps the 1650 Order of the Council that 'these Orders and Constitucions bee fairely written out and hung up in the Free Schoole' had long been forgotten. The engagement of an usher or assistant master, should one be needed, was entirely the responsibility of the Master who had to find the stipend out of his own pocket.

Following the Great Reform Act of 1832, the town was visited by the Municipal Reform Commissioners in December 1833. At first the Court of Burghmote refused to see them, a majority, advised by the Town Clerk, averring that 'the Commission was illegal and contrary both to the common law and statute law of the Realm'. Nevertheless, others were found who were willing to help⁴ and the Commissioners were able to make their report.⁵ The Master at this time was the Revd Thomas Harrison (1828-1844) and the Commiss-

ioners noted that 'there is a Free School in the town, of which the corporation appoints the master. . . . We understood that the school was not in a very flourishing state; this was attributed in some measure to the establishment of a proprietary school in the town'.

Mr Harrison solved the problem of low income by doubling as Perpetual Curate, in effect the parish priest, of Holy Trinity Church in Maidstone but in 1844 he resigned the Mastership while retaining the curacy. The Town Council accepted his resignation but immediately appointed a Committee, not only to find a new Master but to revise the Rules of the School that had remained largely untouched. Within a month the Committee reported back to the Council with new Rules, the principal change being a new Rule 6 which forbade the Master to take any other church appointment.⁶ Mr Harrison would certainly have had parish work to do and this must have reduced the time he could spend teaching his boys. There is no mention in the local press of any difficulties between the Master and the Council but the rapidity with which the new Rule was adopted could indicate some displeasure within the Council at Mr Harrison's 'moonlighting'.

Six gentlemen applied for the post of Master but, upon hearing of the new rule, four immediately withdrew. The Council appointed the Revd John Spurgin BD and he stayed as Master until 1857. The rigidity of Rule 6 slowly came to be recognised by the Council and Mr Spurgin, by the time of his retirement, had been allowed to double his post with that of Chaplain to the Hollingbourne Union. On his departure from Maidstone, the Chaplaincy was advertised at £100 per annum side by side in the local press with the advertisement for the Mastership of the Grammar School. Mr Spurgin was also Chaplain to the Corporation, an appointment held by many Masters in the nineteenth century, but there was no remuneration.

In 1857 the Council looked at the Rules again to see what extra stipend could be squeezed out of them and what changes might be made to Rule 6. They were more awake to the situation than on the previous occasion in 1844 and, whilst forming a Committee to search for a new Master, asked questions of the Town Clerk about the Master's salary.⁷ In reply he said that the Master was paid £64 13s. 0d. out of which he had to pay £23 3s. 6d. for rates and taxes – an excellent example of the Council giving with one hand and taking away with the other! He admitted that the school was not free, the scholars paying eight guineas per annum plus a Common Book payment of two guineas and he said there were 23 day scholars and 7 boarders, not very different to Mr Allfree's day. Several Councillors suggested adding to the endowment but the Town Clerk said that this was not possible. It was recognised, however, that it would be

difficult to find a successor to Mr Spurgin if Rule 6 was allowed to remain unchanged. Alterations were quickly put forward⁸ and the final part of the Rule, the words following 'church or chapel', was removed. As to the Master's stipend, the Corporation took upon itself the rates and taxes connected with the school and the rent of the garden that was attached. This had the effect of increasing the overall stipend by about £20 but it also removed the Master's name from the register of electors as he was no longer a rate-payer!

The full Council met again on 29 October⁹ to elect a new Master. Twenty-nine persons had submitted testimonials¹⁰ and out of these the Committee had selected three, but it proposed that one in particular, the Revd. George Masters Gould MA, be elected (**Fig. 2**). The selection was done entirely on the basis of the offered testimonials although the proposer of the motion, Councillor Simmonds, had spoken independently to Mr Gould.

In 1861 there was considerable feeling in the town that the school's fees were too high and perhaps should not exist at all. One of the Councillors, Mr George Leney, a surgeon of Week Street, took a lead in this matter and wrote to the Charity Commissioners.¹¹ He attempted to compare the charges at Maidstone with the charges made at similar schools in Sevenoaks, St Albans and Hertford, suggesting that the charges be reduced to the same level. The reply, as might be expected, was very cautious and while the Commissioners agreed that the charges should be as low as possible, they could not see any change being possible during the incumbency of Mr Gould. They also reminded Mr Leney that the school had a very poor endowment and this ought to be borne in mind when considering the amount of capitation payment.

Mr Leney brought another matter to the attention of the Commissioners: that 'a considerable portion of property formerly belonging to it has been lost or alienated'. The argument against the Corporation depended entirely on the interpretation of the founding clause of the 1549 Charter. It will already have been seen that for the sum of £205 4s. the King granted the Brotherhood Hall to the Corporation. With this grant came more than a dozen messuages, cottages, gardens and parcels of land, as well as the chapel and cemetery of St Faith's; one particular parcel of land was stated to contain 'by estimation twenty eight acres'. Immediately after this founding clause, but, as remarked in the First Report of the Charity Commissioners, in no way connected with it, was the grant of authority to erect a grammar school. It had long been argued that the whole should be read as one and that all these properties and their accompanying grounds should have formed part of the grammar school and its endowment. The Corporation's opinion was always that it had paid good money for the grounds,

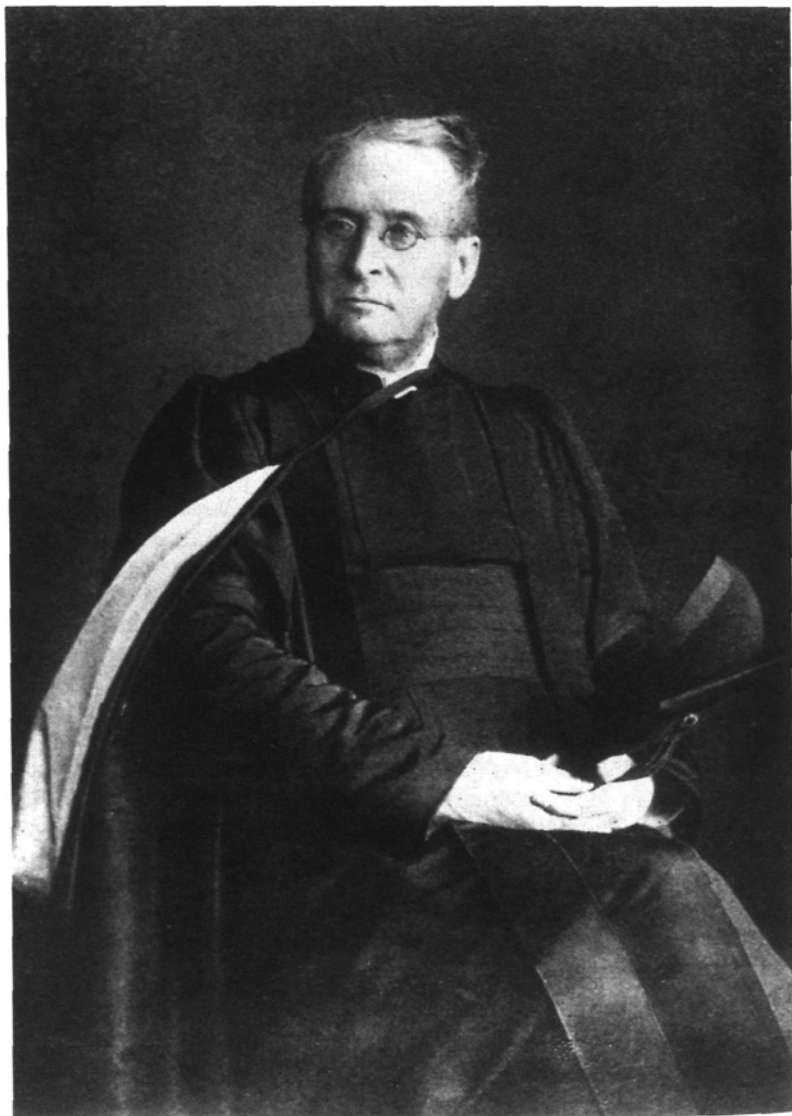


Fig. 2 The Revd George Masters Gould, M.A. Head Master 1857-1882.

considered them to be Corporation property and had sold them off over succeeding years as it saw fit. It is true that the value of the grounds in the 1860s would have been very considerable indeed, but the deed had been done and there was no possibility of reversing the various sales.

Mr Gould, on being appointed as Headmaster, had agreed to conform to the rules and regulations of the school and these included the right to charge a capitation fee for each boy. Mr Leney was not prepared to let the matter rest and at a full Council meeting¹² on 11 February 1863 he proposed that there should be a committee of inquiry. After a short discussion the motion was put to the meeting and lost by 5 votes to 8. Regardless of the fact that a vote had been taken, the Council immediately continued its discussion on the subject with some of the aldermen and councillors explaining their reasons for voting one way, or the other, or not at all! There was some confused guidance to the Council as to whether the Corporation could change the rules and regulations of the school, the Town Clerk averring on the basis of the Commissioners' letter¹³ that they could not. But it became clear that changes could be made and it also became clear, as the Charity Commissioners had told Mr Leney, that if they reduced the capitation fees then recompense would have to be made to Mr Gould in return. A Committee of Inquiry was then set up to consider the rules adopted by the Council for the regulation of the Grammar School, its endowments and their application. [One of the local newspapers¹⁴ devoted a leader to the arguments in Council; the editor thought that the charges made for education at the school were exorbitantly high and comparisons were made with the fees charged at similar schools in the south of England. Perhaps it was by chance that the schools and fees mentioned were identical with those quoted by Mr Leney in his letter to the Charity Commissioners.] It is also interesting to note that no complaint was offered about the location of the school (by the public quay) or about the age of the buildings.

The Committee reported to the quarterly meeting of the Council on 11 May as follows:¹⁵

At the quarterly meeting of the Town Council held on the 11th of February last, this committee was appointed to consider the rules adopted by the Council for the regulation of the Grammar School and the endowments thereto, and the application of the same.

Your Committee have accordingly held repeated meetings for the purpose of carrying into execution the resolution of the Council. They find that rules and regulations were adopted by the Mayor, jurats and commonalty in the year 1665 and that such rules and regulations were revised by the Town

Council in the year 1844, and before the present master was appointed. That by the revised rules the Master is entitled to a capitation fee of two guineas per quarter for each scholar, and they are of the opinion that during the incumbency of the present master the Council have no power to reduce the same, and further, that if such power did exist it would be unjust to do so, he having been elected by the rules then in force.

The Committee further report that the endowments of the Grammar School enjoyed by the master are as follows:

	£	s	d
Stipend from the Corporation	10	0	0
Rent charge of land under the will of William Lambe 1574	10	0	0
The rent of 16 acres of land at Newchurch in Romney Marsh under the will of John Davy MD dated in 1648, now let at	36	0	0
The redeemed land tax of Hoo, granted by Mrs Rice in 1806	6	0	0
The occupation of the Grammar School, house, buildings, and premises, free from rent, rates, and taxes which are paid by the Corporation ¹⁶	--	--	--
The garden, adjoining, hired by the Corporation at the rent of	5	0	0

The Committee generally report that the number of boarders now in the school is 18 and the number of day scholars 46 and that the school is much more numerous and steadily progressing under its present efficient head master.

Following a short discussion, the report was confirmed, Mr Leney being the sole objector on the ground that the capitation fee was not reduced or abolished.

The complaints against this endowed grammar school were part of a wave of national disapproval at the way that some schools were conducting their affairs; boys receiving free education were sometimes badly treated in comparison with fee-paying boarders. Charles Dickens' *Nicholas Nickleby* of 1839 is an early reminder of the problems facing the education system. A Royal Commission headed by Lord Clarendon looked at the Public Schools between 1861 and 1864 and recognised nine schools as being first grade in the Public Schools Act of 1868. The endowed secondary schools were examined by the Schools Inquiry Commission under Lord Taunton from 1864 to 1868 and all the endowed schools in Kent came under the scrutiny of Mr Charles I. Elton.¹⁷ His final report shows that he visited the school in the first half of 1866, and its first section covers similar ground to the Charity Commissioners Report of 1818. He, too, came to a similar conclusion

regarding the sale of the lands surrounding the school. He examined the boys' work and was not pleased with what he found:

I examined several of the classes in their school work. The two or three elder boys construed Cicero, Virgil and Greek Testament fairly, but the remainder of the highest class did not do so well. I may add that the pronunciation of Latin and Greek was remarkably bad throughout the school. The junior boys did not succeed very well in their classical examination, although there were some whose grammatical knowledge was good. In the upper class the Latin prose was defective. The boys were not practised in Latin verse composition, which may account for their defective pronunciation. In modern subjects the work was more satisfactory. The upper class answered a hard set of questions in arithmetic very well. In history and geography the younger boys especially passed a good examination, and showed an unusual interest in the subjects. The elder boys did not show a sufficiently accurate knowledge of English history.

By the Rules adopted in 1650 and carried forward to the 1860s, it was laid down that the scholars should be examined 'on the first Wednesday in the month of June yearly or oftener if it be thought fit'. Mr Elton found that there was an examination at Christmas by the Master and at midsummer by the clergy of the neighbourhood. In 1866 the annual distribution of prizes took place on 13 June¹⁸ in the Town Hall. There was no mention in the press that the School had been examined by Mr Elton during the previous six months. The Chair at the prize-giving was taken by the Mayor, a practice still observed at Speech Day, and after the Head Master's report, Mr Crawford (one of the ushers) read the reports of the examiners. There is clearly a difference between Mr Elton's opinion of the boys and the opinions of the various local clergy who acted as examiners; Mr Elton was concerned about the classes as a whole whereas the examiners picked out the best pupils as possible prizewinners. Perhaps the clergy were unwilling to be critical of the School or of the Master which is not surprising as they lived and worked together in the same town. Elton's report was not published until early 1869 and an editorial in the *Maidstone & Kent Journal*¹⁹ in February of that year strongly criticises his opinions.

There continued to be dissatisfaction with the School and again a Committee of Inquiry was set up²⁰ to investigate the desirability and practicability of removing the Corporation Grammar School to a new site. In their Report received by the Council on 9 November 1866,²¹ the Committee appeared to have made considerable progress and they were encouraged by a substantial monetary donation from Mr William Peale, an Old Boy:

That in compliance with the instructions of the Council your Committee have proceeded to enquire as to the desirability and practicability of removing the Corporation Grammar School to a new site. They are of the opinion that it would be desirable to remove the School to a site on the border of the Town. That a good site can be provided on the London Road containing 2 acres of land for the sum of £800. That your Committee have not incurred any expense in ascertaining the costs of erecting a School House and proper building, but they estimate the same at £4,200 making a total of £5,000. That this sum must be provided if at all by three means: the sale of the present Grammar School, the handsome donation of £1,000 offered by Mr Peale, the amount to be realised by private subscriptions. William Laurence (Chairman)

There is no evidence as to the whereabouts of the site on the London Road. Maps of the period indicate a wide range of choices in the area of Buckland Hill and beyond, Somerfield Terrace (the present Somerfield Hospital) being one of the few buildings along the road. Mr William Peale was well known in Maidstone for his philanthropic work having given £2,000 toward freeing the West Kent General Hospital from debt; his munificence is remembered today in the Peale Ward in Maidstone Hospital. His offer of £1,000 towards a new School was further increased in following years both publicly and anonymously.

A paper in the Clerk to the Governor's records, summarising the negotiations at this point,²² states that in January 1867: 'The Town Council thinking it better to come to some arrangement with Mr Gould instructed the Committee to communicate with him and carefully arrange terms before anything was done'. This sensible instruction was complied with and the following Report to the Council was submitted:²³

That in accordance with the instructions given by the Council at their meeting in November last your Committee have been in communication with the Reverend Mr Gould the Master of the Grammar School in order to ascertain from him what quarterly fee he would be willing to receive from the Parents of each Scholar, as a fixed charge to include all that is defined in the third Rule of the Rules Orders and Constitutions adopted and established by the Town Council on the 15th day of May 1844 – that the teaching of the French Language be added thereto – that no extra charge be made for fires lights stationery or anything else – but that the Master should be entitled to charge each parent for books actually supplied – and that the Master be entitled to receive Boarders not exceeding 30 in number – That Mr Gould has consented to the adoption of the foregoing terms on payment of the quarterly sum of £2.12.6 for each scholar, subject to the approval of the Charity Commissioners to the scheme suggested and to the proposed erection of a new school.

Your Committee are of the opinion that it will be to the advantage of the Inhabitants of the Borough that the foregoing terms be adopted

With regard to the sale of the site and building of the present Grammar School – the purchase of a new Site – and the erection of a new School and residence for the Master – and the raising of the funds for that purpose Your Committee are of the Opinion that this can only be effected by a united effort of a Committee formed partly from Members of the Town Council and partly from influential Inhabitants of Maidstone and its Neighbourhood who may take a lively interest in the project and are willing to take an active part in carrying the same into execution.

30 March 1867 H. R. Cutbush (Chairman)

The outcome was approval by the Town Council at its next meeting and the Committee was 'authorised to take part in such measures as may be necessary to carry out the objects therein referred to into effect'. The teaching of French, now added to the list of free subjects, had been a particular source of complaint at a council meeting four years previously because it was not taught by a Frenchman.

It is not clear from the papers that remain why the proposed site on the London Road fell through; there is a gap in both newspaper records, and in the Council minutes and Clerk's records. Other sites had also been investigated, for the Report of the Committee to the Council dated 4 February 1869²⁴ states that:

long negotiations have been entered into with Mr Whatman for the purchase of four acres of land at the corner of the Sittingbourne Road. . . these negotiations have however, owing to circumstances which it is needless now to relate, ceased; and your Committee have therefore been obliged to seek for another site.

However a site had been found by Mr Alexander Randall on the Tonbridge Road between the Railway Station and Bower Terrace. The whole of this area down to the railway line and behind Bower Terrace, some ten or eleven acres, was owned by Lord Romney and had been let in 1864 to a firm of nurserymen, Thomas Bunyard & Son. A copy of the lease exists in the Clerk's records²⁵ and a reprint of the 1868 Ordnance Survey map of Maidstone (South), clearly showing the plot of land, has recently been published.²⁶ An Agreement for the sale of three acres of this land to Alexander Randall, Charles Arkcoll and William Laurence was signed on 1 February 1869²⁷ and completion was expected by 1 March. The Report continues

your Committee will then be in a position to convey the same to the Town Council or such Trustees as shall be appointed, for the purposes of the

School, and subject to the existing rules and regulations affecting the same, and to such terms as have been approved by the Town Council.

In reality, the land was not transferred and remained in the possession of the three purchasers.

The Agreement included conditions that there should be a wall, 4½ feet high, to be built on the north and east sides of the property, a fence or hedge on the west side and access guaranteed to the remainder of Messrs Bunyard's nursery; the wall and the fence had to be constructed within twelve calendar months. The only building permitted was a School and a residence.

Mr James Whatman, who was one of the two Members of Parliament for the Borough (Sir John Lubbock was the other), came in for considerable criticism from the editor of the *Maidstone & Kent Journal*²⁸ who was in favour of the move to Tonbridge Road and believed the capitation fee to be fair. But:

we cannot refrain from remarking upon the singular conduct of the gentleman who had originally consented to sell land for the new school. It is now no secret that Mr Whatman entered into negotiations for the sale of a site near the Militia Barracks. A better situation could not possibly have been selected; and it was thoroughly understood that the bargain had been settled. At the last moment, however, to the intense surprise of the gentlemen who had been acting in the matter, and who had supposed that everything was arranged, except the execution of the necessary legal documents, Mr Whatman broke off the negotiations and refused to sell the property.

The sum agreed for the sale was £1,700 (over twice the estimate of 1867) and it was provided for by Mr Peale's fine donation of £1,000, separate amounts of £100 each from Mr Randall, Mr Laurence, Mr Cutbush, The Kentish Bank and Messrs T. & J. Hollingworth (paper makers at Turkey Mill), and separate amounts of £50 each from The Honourable Robert Marsham (Lord Romney's son), The Mayor (Mr C. Arkcoll), Mr W. Balston and Mr R. Balston. Further subscriptions were invited²⁹ and arrangements were made with Mr Bunyard whose lease with Lord Romney required a year's notice to be given. The Charity Commissioners were also informed of the progress that had been made although it appears that another set of Commissioners, the Endowed Schools Commissioners, would make the final decision. Their reply³⁰ was in the affirmative but there was a warning that under the provisions of the Municipal Corporations Act, the Commissioners:

did not perceive how the Corporation of Maidstone can now properly act as the Trustees of this School. This question creates a preliminary difficulty in the matter which should in the first be met and disposed of.

A local architect, Mr E. W. Stephens, had already drawn up plans for the new school. These were approved on 3 March 1869 and a plea for a larger schoolroom was agreed on 20 March. September saw the appeal for money, the Grammar School Committee now forming themselves into a Finance Committee, and in accordance with his agreement with Lord Romney, Mr Bunyard was given notice to quit by 29 September 1870. He replied asking for more time and reminded the Committee that a dividing wall was part of the agreement and building of this had not yet started.

By December there was some falling away of donations. A Report to the Council³¹ was considered at a Special Meeting on 8 January 1870. The *Maidstone & Kentish Journal* reported that

the Grammar School Committee had collected about £1,100, leaving about £400 still to be provided. They regretted that many influential inhabitants of the town had, up to the present time, withheld their support, but they had little doubt that when it was seen that the Council were unanimously determined not only to offer such assistance as they were able to do as a body, but also individually, they will be regularly seconded in their efforts by the other inhabitants.

This may, in part, have been a taunt at the Mayor who had already refused to increase his donation in September.

On 2 August 1869 the Endowed Schools Act had become law and the Committee's application for selling the old school and building a new one on another site had now been referred to the Charity Commissioners. Under the Act, Section 9, they would have power 'to alter, and add to any existing, and to make new trusts, directions and provisions in lieu of any existing trusts, directions and provisions which affect such endowment, and the education promoted thereby. . .' In the Charity Commissioners' reply of 16 February 1870³² they said that they were unable to proceed on the application, although the Endowed Schools Commissioners had agreed to it,

until there shall have been an appointment of legal Trustees of the School and its endowments who will be in a position to make a valid sale and Conveyance of the property to a purchaser. This difficulty and the mode of meeting it were adverted to in my letters to you of 15th and 25th February 1869.

Again it is not at all clear that the Council understood the dilemma in which they were placed. Under the Municipal Corporations Act the Charity Commissioners could not allow the Town Council, all twenty-four of which were entered on the application form, to be Trustees of a charity.³³ The application was therefore amended by reducing the

number to ten and by adding the Honorary Treasurer of the Grammar School Committee, Mr Samuel Mercer, a highly respected local banker. These gentlemen were to be the legal Trustees and it was agreed so by a resolution of the majority of the Council over the signature of the Mayor with the borough seal on 17 March 1870. Although nominated by the Council, these Trustees were, by this resolution, made responsible for the running of the Grammar School and although they could recommend a course of action, any final decision would be made by the Charity Commissioners. In effect, the Town Council had signed away its control of the Grammar School after 320 years.

The Charity Commissioners agreed on 10 May 1870 to the formation of the new Trust³⁴ all the members of which, apart from Samuel Mercer, the Secretary, were councillors or aldermen and nominated by the Council. Permission was given in May to sell the School and a local auctioneer, Messrs Tootell & Sons, was engaged.³⁵ The particulars are of special interest as they include the measurements of the school rooms and the principal rooms in the Master's residence. The ancient School Bell was not sold but went to the new school and eventually to the present school in Barton Road. The particulars carried a note that:

The especial uses to which this Property has been devoted for more than Five Centuries, as well as its form, extent, and substantial character, offer inducements to the Antiquarian and to those Religious Bodies that respect the Memories of the Past, to maintain the Classical Character of the Estate, and the time-honoured purposes of its early possessors.

Nevertheless, in much larger print underneath, is the statement that *the sale gives an opportunity for converting so valuable a site into COMMERCIAL PREMISES OF GREAT USEFULNESS; Its proximity to the Wharves, the Fair Meadow, and the Centre of the Town, being a leading feature in its value.* The sale, with a reserve price of £2,500, took place in the Concert Hall of the Corn Exchange on Wednesday, 13 July 1870 and the school was sold to Messrs Fremlin, the brewers, for £2,540. The Charity Commissioners instructed the Trustees to spend the money, after expenses, on the erection of the new school.

During August 1870 tenders were invited and Bunyard's nursery stock valued; the tender of Mr J. S. Anscombe, a builder whose yard was conveniently sited less than one hundred yards from the new school, was accepted for the sum of £4,061.³⁶ Arrangements were made for Sir John Lubbock to lay the foundation stone on 19 October with a *déjeûner* at the Star Hotel (four shillings) afterwards. Upon the demolition of the school in the 1970s the foundation stone was rescued and can be seen in the foyer at the present School in Barton Road.

Building continued, although there was a slight problem, soon resolved, with Mr Bunyard who refused to give up his possession of the land. Unfortunately the money ran out in May and the builder stopped work; according to the *South Eastern Gazette* 'the trustees have wisely determined not to exceed the limits of their actual resources and they trust that the sum of £500, being the amount required to enable the contractor to resume operations, will be speedily forthcoming'.

It is not clear from the available records as to when or how money to continue was found. Negotiations with the Charity Commissioners were started in June 1871³⁷ and their reply was to mortgage the estate but not the buildings. Estimates were assembled, the agreement of Mr Gould to mortgage the endowments obtained³⁸ and application made for £800. By the end of July the Commissioners had agreed that £500 might be raised. No mortgage was in fact raised until December 1872, a year after the school building was finished. It is possible that the local bank, the Kentish Bank, of which Samuel Mercer was one of the directors, was willing to allow an overdraft, but there are no written papers to support this idea. Confidence in the project may well have been raised by the foundation of a Scholarship to the School. Some months previously, Sir John Lubbock MP had succeeded in passing a Bill through Parliament to establish certain holidays for United Kingdom banks. The Bank Holiday Act of 1871 set up five days in the year during which banks would be closed and these days are still known as Bank Holidays. They were much appreciated by the bank clerks of the day and a testimonial was raised for Sir John, no one to give more than a shilling. On the suggestion of Lady Lubbock the money raised was divided between Maidstone Grammar School and the City of London College and each received £333 6s. 8d. In October Lady Lubbock increased the testimonial to Maidstone by another £100. A Scholarship was founded and a boy at the school, William Edward Plater, was appointed the first Lubbock Testimonial Scholar.

Building appears to have started again by the beginning of August for at the quarterly meeting of the Council on 9 August³⁹ it was resolved that the Mayor and Corporation attend the opening ceremony - 'to take place on 27 September and it would afford them much gratification if the corporation would be present in state on the occasion'.

That the new premises were fine and commodious, especially as regards the apartments for the Master and the boarders, could not be doubted (**Fig. 3**). The *South Eastern Gazette* of 14 October gives the following description:⁴⁰

The principal schoolroom is 50ft. by 25ft. and will seat comfortably at the desks 108 scholars, but in reality has floor space for 150. Adjoining the



Fig. 3 The Head Master's House 1871. (Courtesy Maidstone Museum)

schools, and approached by the corridor, is a classroom 19ft. by 15ft. which will accommodate a class of 34 scholars, and in addition to this there is another classroom 30ft. by 20ft. which affords floor space for another 75 boys. This latter room may be used also as a dining hall for resident boys and day scholars. Besides the above-named accommodation for boys, there is a large entrance lobby, a convenient lavatory, boarders' staircase, separate rooms for books, hats and boots, and several other conveniences. The whole of the scholastic portion of the building is cut off from the Master's residence. The Master's residence contains dining-room, drawing-room, study, kitchen, scullery, and pantries, central hall, lighted from roof with principal staircase, and a back staircase for servants. In the upper portion of the buildings, consisting of two floors, there is accommodation for 24 boarders, one room for under master, 8 rooms for the master's own use, two infirmary wards for sick pupils, and a nurse's room. There is a bath-room on each floor, with lavatory and clothes room etc.

The architect appears to have done Mr Gould proud and at the annual prize-giving in June he referred to comments that had been made:⁴¹

He desired to answer one objection which had been stated to himself, and as he knew, to others also, over and over again. This was that the school accommodation in the new building seemed to be small. Now as the Mayor, who had taken a kindly interest in the matter from the first, very well knew, and many others also knew, the accommodation was only small in appearance; in reality it was considerable. Only let Maidstone send him 150 of her sons, and he would undertake to find ample working room for every one of them.

Later, in an acerbic editorial on the opening, the *Kent Messenger* wrote about the 'so magnificent and extensive an erection as the new school-palace in Tonbridge Road' and hoped that ways could be found to help poorer members of the town to rise up the educational ladder.⁴²

After a delay of two weeks the school was finally opened on Tuesday 10 October 1871. The church bells rang and the Mayor and Corporation, preceded by the band of the Volunteers, processed from the Town Hall to the new buildings in exceptionally fine weather. All the local papers published reports; the *Maidstone & Kentish Journal* published GRATIS, as it proudly announced, a full one-page edition of the opening ceremony and the speeches. Building could only have just been finished for the grant of a week's holiday was necessary to move the school out of Corpus Christi Hall; the conveyance of the Hall to the Fremlin brothers⁴³ did not take place until a fortnight later. After the speeches everybody returned to the Town Hall for a *déjeuner* with more speeches and there was a grand concert in the evening in the Corn Exchange,⁴⁴ the proceeds of which were to go to the building fund.

Although everything appeared to be wonderful on the opening day, the problems of the past had not gone away. Firstly, the Trustees were now legally in charge of the buildings and the running of the School. They were, however, a group of worthy citizens who had been got together especially for the purpose of funding and building the School, not for running it. Secondly, the Head Master, Revd Mr Gould, had been engaged by the Corporation in 1857 to run the School; technically he was their employee. As part of his contract they had said that they would pay the rates and any repairs that were necessary. This caused confusion when Mr Gould asked for work to be done on the School for the Corporation's Grammar School Committee, still appointed annually on Mayor-making Day, expected the Trustees to pay. Thirdly, the land was the property of the three gentlemen, Messrs Randall, Arkcoll and Laurence, who had bought it in 1869; it was not the property of the Corporation. There was nothing in writing to say that the land might, on some future occasion, be handed over to the Trustees of the School although there may have been a verbal agreement.

The Charity Commissioners extended their permission to raise money at three-monthly intervals until finally, in December 1872, two mortgages,⁴⁵ one for £500 with the directors of the Kentish Bank and another for £300 with Mr Samuel Mercer, were completed and signed. The mortgage for £500 was made with the agreement of the Charity Commissioners and the £300 mortgage, being over the limit agreed with the Commissioners, was guaranteed by Mr Mercer and the Master, Revd Mr Gould.

In May 1873 the Grammar School Committee agreed with Mr Gould's recommendation that a professional examiner be obtained in place of the local clergy. In May 1876 a proposal was put to the quarterly meeting of the Council again appointing an examiner. However, a member of the Council, Mr Thomas Wells, who had not been a member in 1869, had discovered in committee and from the Town Clerk that the land was in the names of Messrs Randall, Arkcoll and Laurence and the management of the School was in the hands of Trustees.⁴⁶ The Town Clerk attempted to explain the position saying that the Charity Commissioners had refused to deal with the Grammar School in isolation from the other endowed schools of the town; a Committee was appointed to look into the matter. In October of the same year the Town Clerk attempted to resolve the continuing muddle by putting the relevant facts together in a case to counsel, Mr W. Cunningham Glen.⁴⁷ The questions that were put and counsel's replies (*in italics*) are given below:

1. Whether the course they (the Corporation) took in 1869 and 1870 was a correct one?

Having very fully considered this Case I am of the opinion that the course already pursued was correct.

2. Whether they have parted with their ancient right of being Patrons to the School, of electing the Masters and managing the affairs.

The present Corporation never had any such rights as is supposed - They were a new creation and the Statute did not transfer the School to them.

3. Whether the 71st Sec. of the Municipal Corporation Act affected the Maidstone Grammar School (see Rawlinson 6th edition page 101 and notes). Was the School such a Charity as necessitated its transference to trustees and its being taken out of the control and management of the corporation.

The first part of this question I answer in the affirmative; the second also, in this, that the Charity never was legally under the control and management of the Corporation constituted by Statute 5&6.W.4.C.76.

4. What course they should now take for the restitution of their privileges and generally on the case.

They cannot get restitution of that which they never had.

Generally - The Corporation should do nothing but leave the School to the sole Management of the Trustees in whom it is now vested.

Perhaps the court of burghmote should have been more careful in its dealings with the Commissioners before the passing of the Act of 1835 and arranged for a different management structure for the School. Under the Act the corporation was not allowed to be a trustee because the school was a charity. But again, as with the sale of land that might or might not have been part of the School's endowment, it was now a matter of past history and the School was established with legal Trustees. The position over Mr Gould would right itself when he retired or left.

Counsel's opinion does not appear to have been published. At the Mayor-making in November the Grammar School Committee was again appointed, in February 1877 the Head Master was paid his annual stipend, and in May the Committee again applied for an examiner to be appointed. In August 1877 the Trustees resolved to join with the Corporation and see the Charity Commissioners. On 25 January 1878 the Trustees considered a Draft Scheme, probably from the Charity Commissioners, and four days later six of the Trustees, including the Mayor, four members of the Town Council, not Trustees, and the Town Clerk met Mr J. L. Hammond, one of the Assistant Charity Commissioners.⁴⁸ The meeting lasted for five hours. Every possible aspect from the first charter to the present day was aired and Mr Hammond took extensive minutes, adding his own shrewd comments.⁴⁹

The minutes begin by largely restating the factual situation that was already known, but paragraph 8 offers the suggestion that:

it is just possible that some arrangement may be devised by which the Town Council may be induced to continue their present payments for repairs, rates and taxes. These payments were made cheerfully enough so long as the School was governed by the Corporation: now they are considered a grievance by many members of the Town Council.

He refers, too, to the old chestnut that property belonging to the School had been lost to the Corporation:

I can find no tangible proof whatever that the Corporation were ever bound to pay more than £10 a year under the Royal Charters.

The details of the sale of the site and the raising of money, already noted above, are covered. Mr Hammond notes, however, that the mortgage of £500 is the only one authorised by the Commissioners. He writes:

I understand that the £300 debt is guaranteed in some informal manner by the Head Master. He takes the whole income from endowment and pays the interest and instalments due on both debts....No doubt he is a gainer by these recent transactions. His school buildings are new and commodious and the site convenient and attractive: whereas the old buildings were just the reverse of all this. His residence and boarding accommodation are especially good: and the only fault in the new buildings is that the School and Class room accommodation have been subordinated to the Head Master's private and boarding accommodation. This defect is not perhaps felt at present, but it will be felt if ever the School is reduced in grade and adapted to the requirements of the trading classes in Maidstone....The Head Master having been appointed to his office in 1857 has a freehold interest in it, and this with the circumstances above-mentioned makes his position exceptionally strong. No compensation can be given for his vested interest in the present financial condition of the School; and saving his interest means continuing the present scholastic arrangements as long as he is in office and objects to change. He is subject to the rules, orders and constitutions made by the Town Council in 1844 and to the amendments and conditions sanctioned by the same body on the 21st Sept. 1857 and the 8th May 1867. These rules provide that the School shall be conducted as a Classical School, with fees for day scholars limited to ten guineas a year. The Head Master is allowed to have 24 boarders at his own terms. Nominally there is an Usher on the foundation: but practically all the Assistant Masters are the employees of the Head Master, appointed paid and dismissed by him.

The improvement in numbers of both boarders and day scholars since Mr Gould's arrival are noted favourably 'to almost justify the temporary continuance of existing arrangements, even if this continuance were, what it is not, a matter of choice'.

Every one present at the conference agreed that a Scheme must be devised to provide for the eventual constitution of the School after the retirement of Mr Gould and a range of fees, from six to twelve guineas and Greek an optional extra at four guineas, was decided upon. Furthermore, it was agreed that the Head Master should be permitted to take boarders at a fee not exceeding fifty guineas.

The very difficult matter as to who shall govern the School was raised and Mr Hammond's notes are quoted verbatim:

A strong feeling was expressed by some, and among others by the Head Master, that the Government of the School should be invested in the Town

Council. The Head Master's argument was that this would be the only way to secure the continuance of the payments made by the Corporation after he ceased to hold office. I informed the Mayor that the Commissioners would not concede the entire Government to the Town Council and I asked him whether the payments in question would be perpetuated if the Town Council had an absolute majority on the Board. He seemed to think they would; and accordingly I venture to recommend that on this condition the Governing Body be composed of thirteen members; viz. the Mayor ex-officio, six Representatives appointed by the Town Council and six Co-optatives. Four of the present Trustees, who are not members of the Town Council, would be among the first Cooptatives: but having been recently appointed to their office as nominees of the Town Council, there is no reason why they should be continued in office for life.

At the next Town Council meeting⁵⁰ the Town Clerk reported on the meeting they had had with the assistant commissioners and he 'hoped to have something in the shape of a scheme to lay before the board'. The Charity Commissioners wrote to the Town Clerk on 30 April⁵¹ agreeing that although the School appeared to be doing well, a new scheme would be necessary, certainly when Mr Gould's tenure of office was over. The letter continues:

But there are two considerations noticed in Mr Hammond's report which may render it expedient to deal with the case at once. In the first place the present Trustees were appointed for a specific and temporary object connected with the sale of the old School buildings and not as constituting a Board specifically qualified to administer an educational establishment. Secondly, there seems to be reason for apprehending that on the next appointment of a Head Master certain payments now made on behalf of the School out of the Corporation revenues may be discontinued on the ground that the connection between the Town Council and the Grammar School has ceased to exist. The Commissioners would much regret that a School so poorly endowed as the Grammar School is should suffer this pecuniary loss. They are also of the opinion that the Town Council ought under any circumstances to have some voice in the appointment of the Governing Body of the School. If some arrangement could be made for securing in perpetuity to the School the benefits it has hitherto enjoyed at the expense of the Corporation the Commissioners would be prepared to go a step further and to assign to the Town Council an absolute majority of the places on the Governing Body.

The writer, on behalf of the Commissioners, goes on to repeat the fees and conditions that Mr Hammond had suggested:

But before coming to any decision on this point they desire to have some positive evidence in support of Mr Hammond's recommendation, and they would especially wish to be informed of the views of the Town Council on the subject.

At its meeting on 8 May a Report from the Grammar School Committee⁵² was read, recommending that an application be made to the Commissioners for a scheme, 'and that if possible a majority on the governing body be secured to the Corporation'. The Committee also asked 'that an Examiner of the School be appointed as heretofore' but something seems to have gone awry for at the February 1879 meeting of the Council it was stated that 'there had been no examination last year but it was proposed to have one this year'. And neither was the scheme ready.

It was finally arranged that the Scheme would not be brought into effect until the death or resignation of Mr Gould. He would be 65 in November 1882 but more than a year before this time he was unwell and after Christmas 1881 he had to leave the running of the school to his assistant, Mr Grensted. He died on 28 April 1882. George Masters Gould had certainly been a Head Master of considerable influence for he had persuaded the town to build him a residence first and a school second. Tradition handed down has it that he was a hard master to his pupils.

On 3 May Queen Victoria signed the Order in Council allowing the new Scheme to come into operation. The local newspapers printed a summary of the main points:

the Governing Body of the Foundation will consist of thirteen Governors, comprising the Mayor as an ex-officio; nine Representative Governors, one being appointed by the School Board of Maidstone, two by the County Justices and six by the Corporation of Maidstone; and three Cooptative Governors, namely, W. Laurence Esq., J.H. Hills Esq., and S. Mercer Esq., and whose successors will be appointed by the general body of governors.

This governing body will, in future, have practically complete control over the administration of the school. It will have the power of appointing and dismissing the Head Master. It is to 'prescribe the general subjects of instruction, the relative prominence and value to be assigned to each group of subjects, the arrangements respecting the school terms, vacations and holidays, the payments of day scholars, and the numbers and payments of boarders.' It will also 'take general supervision of the sanitary condition of the school buildings and arrangements,' and will fix the number of assistant masters to be employed. But before making any regulations under the above powers, the head master - who will control the whole internal organisation, management, and discipline of the school - is to be consulted, and full consideration given to his views.

The scheme provides that the school and all its advantages shall be open to all boys of good character, and sufficient health, who reside within degrees to be determined by the governors, or are boarding under regulations made by the governors, either in a hostel of the foundation, or in the house of any master. Every applicant for admission must pass an entrance examination, graduated according to age, but not to be below a certain

fixed standard, and it is provided that instruction is to be given, in addition to the ordinary English subjects, in Latin, at least one foreign European language, natural science, drawing, drill, and vocal music. For Greek there is to be an extra charge. Religious teaching, in accordance with the principles of the Christian faith, is to be given under such regulations as the governors shall make from time to time; but, upon written application by the parent, any scholar can claim exemption from such lessons. The governors, when fully elected, are, upon the administration of the foundation being transferred to them, to take all proper measures for carrying the provisions of the scheme into effect as soon as possible.

This was very similar to Mr Hammond's proposals of January 1878 with the interesting omission that there was no mention at all of the fact that the Town Council had to pay £100 per annum to the School and, if they do not, their representation on the governing body, including the Mayor *ex officio*, would be reduced from seven to four. It will be noted that seven out of thirteen would constitute a majority on the governing body but that four out of ten would be a minority. But hardly had Mr Gould been laid to rest than a letter appeared in the *Maidstone & Kentish Journal*⁵³ with the argument that the salary offered must be sufficient to attract a first-class and able teacher. Notices for the appointment of a successor appeared in June⁵⁴ offering a stipend of £100 and a capitation fee, to be agreed, of between three and six guineas per year per boy. This was sufficient to attract some seventy or eighty applications and the Trustees selected the Revd Samuel Maitland Crosthwaite, Head Master of Faversham Grammar School, to be the new Head. On 9 August the Town Council resolved that he should be appointed Chaplain during the pleasure of the Council at a fee of ten guineas per annum, a strange if interesting move as by the scheme he was not allowed to exercise the cure of souls! He attended the school on 11 September and brought with him from Faversham, according to Streatfeild,⁵⁵ a considerable number of boarders.

Until 1914 there followed a period of relative stability in numbers with about a hundred boys, including up to thirty boarders. There were fluctuations, particularly at Christmas 1897 when the Head Master of the day, the Revd Herbert Watson, departed for Yarmouth with thirty-five boys and two members of staff. But it had been a difficult term for a serious outbreak of typhoid fever in the town had led to the boarders being moved to Tunbridge Wells. Real growth only came with the Education Act of 1902 taking away the functions of the Charity Commissioners and bringing in local education authorities. After 1914 numbers rose rapidly and by 1923 the school had trebled in size and a move to new premises was being contem-

plated. Boarding had ceased before the Great War and the provision of laboratories and extra classrooms meant that the boarding accommodation had long been overtaken. The power of the Corporation had already been diminished in 1886 and yet again in 1895 and by the 1970s there were only three members of the Town Council, including the Mayor *ex officio*, on the Governing Body. By the 1990s the Mayor is the only representative of the Council and sits as President of the Governors.

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NOTES

¹ Revd Frank Streatfeild MA, *The History of Maidstone Grammar School* (published privately), Oxford, 1915.

² G. B. Phillips BA, *Maidstone Grammar School, 1549-1949, A Record* (published privately), Maidstone, 1949.

³ Streatfeild, *op. cit.* (note 1), p. 14.

⁴ Clark & Murfin, *The History of Maidstone* (Alan Sutton 1995) p. 104 gives an excellent potted account of the difficulties.

⁵ British Library microfiche B.S.18/9 (3) *British Parliamentary Papers: Appendix [Part II] to the First Report of the Commissioners on the Municipal Corporations of England and Wales 1835 pp. 751 and onwards.*

⁶ Rule 6 stated 'that no person shall continue master of the school, after he shall have become the rector, vicar, curate, or other regular officiating minister, of any parish, church, or chapel, or of any charitable, or other institution; - nor after he shall have officiated or assisted in the performance of divine service more than six days in any one year; - this regulation being made, in order that the master may be wholly free to attend the school and the studies and duties that belong thereto'.

⁷ *Maidstone & Kent Journal* of 19 September 1857 has a full report of the Council meeting of 16 September.

⁸ *Maidstone & Kent Journal* of 26 September 1857 has a full report of the Council meeting of 23 September 1857.

⁹ *Maidstone & Kent Journal* of 31 October 1857 has a full report of the Council meeting including Mr Simmonds' long proposal.

¹⁰ The testimonials for six of the candidates, including that of Mr Gould, are preserved in the Library of Maidstone Museum.

¹¹ *Public Record Office* ED 27 1893. There is a similar letter in the papers from a Mr Thomas Wells.

¹² *Maidstone & Kent Journal* of 17 February 1863 has a full report of the Council meeting.

¹³ *Ibid.*

¹⁴ *Maidstone Telegraph* of 14 February 1863.

¹⁵ Extracted from *Maidstone & Kentish Journal* of 19 May 1863. There is a shorter report in *Maidstone Telegraph* of 16 May 1863.

¹⁶ *Centre for Kentish Studies* Maidstone Council minutes under ref. Md Acn 3/3.

¹⁷ *Parliamentary Papers* 1868, xxviii. Elton was a graduate of Balliol, Oxford.

¹⁸ *Maidstone Telegraph* of 16 June 1866 gives the reports of the examiners.

¹⁹ *Maidstone & Kentish Journal* of 15 February 1869. Subsequent editions carry Mr Elton's comments on all the endowed schools in Kent.

²⁰ *Centre for Kentish Studies* Maidstone Council minutes under ref. Md Acn 3/3.

²¹ *Maidstone & Kentish Journal* of 10 November 1866.

²² *Clerk to the Governors' Records (CGR)* Paper marked TR/29.

²³ *CGR* Grammar School Committee Report marked TR/22, dated 30 March 1867.

²⁴ *CGR* Grammar School Committee Report marked TR/16 dated 4 February 1869.

²⁵ *CGR*. A copy of the lease dated 26 September 1864 and marked TR/19.

²⁶ Alan Godfrey Maps, Newcastle upon Tyne.

²⁷ *CGR* The Agreement is marked TR/10 and paper TR/16 dated 4 February 1869 is the report of the Grammar School Committee to the Town Council.

²⁸ *Maidstone & Kentish Journal* of 22 February 1869.

²⁹ *CGR* A draft of the subscription paper is marked TR/3 and a printed version, TR/36.

³⁰ *CGR* A paper marked TR/18.

³¹ *CGR* A paper marked TR/24 dated 10 December 1869.

³² *CGR* A paper marked TR/35.

³³ In *The Endowed Schools' Acts and their administration* (W. Ridgway: London 1885) Lord Colchester stated that Municipal Councils could not be trustees because of a possible change of political affiliation.

³⁴ *CGR*. The envelope marked TR/1 contains the Order signed by the Secretary of the Board.

³⁵ *CGR* Papers marked TR/37. Particulars and Conditions of sale and a layout plan of the premises.

³⁶ Anscombe's tender was amongst the lowest of the ten submitted.

³⁷ *Centre for Kentish Studies* C/E 241 18/1

³⁸ *Ibid.* Mr Gould asked that a small west wing should be built as well. This was agreed with the omission of the cellar.

³⁹ *Kent Messenger & Maidstone Journal* of 12 August 1871.

⁴⁰ Possibly a press handout. The *Maidstone & Kentish Journal* of 11 October prints an identical description.

⁴¹ *Kent Messenger & Maidstone Journal* of 14 June 1871 gives an account of the annual prize-giving.

⁴² *Kent Messenger & Maidstone Journal* of 14 October 1871.

⁴³ *CGR* A paper marked TR/4.

⁴⁴ J. Clinch, *Gaudeamus - an account of music at Maidstone Grammar School* (published privately, 1997), p. 2.

⁴⁵ *CGR* Papers marked TR/45.

⁴⁶ Both *Maidstone & Kentish Journal* and *Kent Messenger, Maidstone Telegraph* of 13 May 1876 carry full accounts of this Council meeting. Mr Randall had died some years previously.

⁴⁷ *CGR* Paper marked TR/27.

⁴⁸ Mr Hammond makes no specific mention of the Head Master being present although some statements are directly attributable to him.

⁴⁹ *Public Record Office* ED 27 1894.

⁵⁰ *Kent Messenger, Maidstone Telegraph* of 16 February 1878 reports the meeting of 13 February which included the payment of the annual stipend of £20 to the Head Master.

⁵¹ *CGR* Paper marked TR/15 dated 30 April 1878.

⁵² *CGR* Paper marked TR/14

⁵³ *Maidstone & Kentish Journal* of 4 May 1882; a letter from 'Tradesman'. The adjoining column has an account of Mr Gould's funeral.

⁵⁴ For example, *Maidstone & Kentish Journal* of 29 July 1882. The Head Master was not required to be in Holy Orders.

⁵⁵ Streatfeild, *op. cit.* (note 1), p. 98.