

make the point
 tion of a Col-
 nsequence the
 e same royal
 at object also.
 ng that there
 York, in our
 from this time,
privileges of an
 for the educa-
 students in arts
 " (" To con-
 the hope, the
 to be called
 tion is of the
 the President
 sons admitted
 This corpo-
 ne " to have,
 hold, possess,
use of the said
 in U. Canada,
 ng; and more-
 ave, hold, en-
 or any goods
 utions, gifts,
 pursuant of
 the Crown did
 ich could only
 o the charter,
 College. This
 effect of every
 name, and the
 gation of the
 £500 worth
 of the Church
 College. This
 College all these
 ity (not even
 iversity such
 the charter of
 to the College
 ; it takes also
 his library of
 other books,
 is to have no
 urer, class, or
 ver, Can we
utrum lex est

Where can a case parallel to this be found in the annals of constitutional legislation? Not purely in Great Britain. Corporations have been dissolved, and their estates have escheated to the Crown; such was the case on the dissolution of Monasteries by Henry the 8th. If this is to be cited as a precedent it is not very applicable. For upon well understood principles, where a corporation is dissolved, its endowment should revert back to the donor or his heirs, in their default and failure it escheats to the Crown. Here the giant omnipotence of Parliament dissolves the corporation the Crown has created, but will not leave to the Crown the endowment, either as reverting back to it, as the original donor, or as escheating; and with regard to this precedent, a further observation suggests itself. Whatever may be thought of the wisdom, justice, or policy of the proceeding which appropriated estates, set apart for religion or charity, to other uses, the royal grants of these lands have been respected; we do not hear of proposals to deprive the Dukes of Bedford and Devonshire of lands thus acquired. Other forfeitures on legal principles there are many; but no instance can I find which can be quoted as a precedent or authority for this proceeding. True, their lands were once the domain of the crown, so were once all the lands in Upper Canada. But when granted, why is the grant to King's College less sacred and less binding than the grant to U. E. Loyalists, to Militia, to Settlers, or than those large and—as I have not unfrequently heard called and denounced as—improvident grants to Government officers, Executive Councillors and others, in former days, or than grants—of which there have been many—for purposes of a specified and public character. The constitutional right of the Crown to make this grant cannot, at least, be questioned by those who would thus appropriate the lands which have only passed from and out of the Crown by force of the grant. No, Sir, I maintain that in the eye of the law all these grants rest on the same foundation, and are equally to be respected. I ask why they are to be less respected in the eyes of law-makers? True, the grant was for a specific use and purpose, one in which the whole Province is deeply interested. A misapplication of funds belonging to the College might and would render individuals respon-

sible to make it good, as well as have called for and justified their removal. But this would not require an act of Parliament. The power of the Crown and of its Courts is enough, to enquire and to punish. This, if it existed, could not justify legislative deprivation, and (may I use the term which most forcibly conveys my meaning) spoliation, for it would be a strange perversion of justice to disfranchise King's College and take away its property, because some of its officers did not use that property for the best interests and advancement of this College, according to their duty and its charter. It would be as reasonable to dissolve a banking corporation because one of its clerks embezzled a large amount of its property. Besides, no advocate of the bill can support it on this pretext without falsifying the preamble, which, whatever may be the strength of the reasons it advances, does not pretend to justify Parliamentary interference upon any such ground. Again I ask where is there to be found a precedent for legislation of such a character? Again I say not in Great Britain. The proceedings there relative to charitable corporations will not be found to afford it. Time does not permit me more than a passing allusion to them. Two things, however, are to be observed. First, the careful and scrupulous investigation which preceded any action; second, the spirit of justice which pervaded—in relation to the declared objects for which these corporations were instituted—in remedying abuses, restoring to their original and proper uses what had been misapplied,—or where the fulfilment of original uses had become impracticable—the selection of others, the nearest that circumstances permitted, in accordance with the spirit and intention of the founders. Nor will a reference to a neighbouring country weaken my position; State laws which interfered with corporate rights, ay, even corporate rights claimed and enjoyed under royal charters, have been, by the supreme tribunals, declared unconstitutional and void. And though the lands now in question were granted that they might be employed for a purpose beneficial to the people of Upper Canada, though capable of extending the benefit far wider, they are not the only grants for the advancement of religion and science in which other portions of the people of Canada are interested—they rest on the self-same