

the collegiate institution of University College. Chapter 210 of the Revised Statutes of 1877 is entitled "An Act respecting the University of Toronto." This chapter by Sections 1 and 2, continues the University of Toronto as a body corporate with the powers and privileges conferred upon it by those portions of its charter remaining in force and by the former Statute "subject to the provisions of this Act."

6. The next revision of Statutes took place in 1887. Chapter 230 of this revision combines and revises Chapters 209 and 210 of the revision of 1877 and the amendments passed in the meantime. Section 2 continues the University of Toronto by a similar provision of continuance to that made in 1877. Section 68 continues University College by a similar provision of continuance to that made in 1877.

7. The next revision of the Statutes was in 1897. Chapter 298 of this revision combines and revises Chapter 230 of the Revised Statutes of 1887 and the amendments which had been made in the meantime. Section 2 of this chapter continues the University of Toronto by a similar provision of continuance to that contained in the revision of 1887, and Section 69 continues University College by a similar provision of continuance to that contained in the revision of 1887.

8. In 1901, Chapter 41, called "The University Act 1901," was passed. This was a revision with amendments of the previous legislation. It continued the University of Toronto and University College in the usual terms.

9. Then comes The University Act (1906). By Section 3 the University of Toronto and University College "are and each of them is hereby continued and subject to the provisions of this Act shall respectively have, hold, possess and enjoy all the rights, powers and privileges which they respectively now have, hold, possess and enjoy." In approaching The University Act (1906) it must be borne in mind that it is a revision and consolidation of the previous Acts relating to the University of Toronto and University College. It does not create them anew; it preserves all their rights, powers and privileges subject only "to the provisions of this Act." It deals with them as separate institutions, each having its own rights, powers and privileges, and where an enactment is intended to apply to both institutions it is clearly so expressed, and the Statute is equally clear when dealing with the institutions separately.

10. The question relating to the powers of the University of Toronto and of University College respectively in connection with the matter now before your Committee depends upon the true construction and effect of Sections 127 and 129 of The University Act (1906). It is important here also to trace the previous legislation upon the matters embraced in these sections. It has already been pointed out that by the Act of 1853 the teaching power of the University of Toronto was abolished and its functions were limited to the examining of candidates for degrees and to the conferring of degrees, etc., and that by the Act of 1853 University College was first constituted. Section 32 of that