

APPENDICES.

APPENDIX, No. 1,

UPPER CANADA COLLEGE ENDOWMENT.

Answer to Allegation No. 1.

In reply to the first allegation submitted by your honourable Committee, it is most respectfully submitted that the subject does not properly fall within the province of the Principal of U. C. College, but fitly pertains to one of the Law Officers of the Crown. Nevertheless, in order to meet your wishes as far as the limited time and the documents at my disposal will permit, I beg leave to lay before you certain Parliamentary and other extracts bearing on the point. At the same time I would strongly urge that should these not prove in all respects satisfactory, you will be pleased to submit the same question to the consideration of some person within whose province it may more legitimately fall; so that the want of knowledge of matters involved in this first question, on my part, may not be construed to the prejudice of U. C. College.

Allegation 1. That in the endowment of Upper Canada College, the Grammar School Reserves were illegally diverted from their original purpose.

Answer. It is respectively submitted, first, that the words "Grammar School Reserves" are not used in the early public documents contained in the Journals of the House of Assembly.

2. That these words "Grammar School Reserves" are, nevertheless very often used by the writer of a pamphlet lately largely circulated, and which purports to have been compiled by order of the Ontario Grammar School Masters' Association, and is entitled "The U. C. College Question."

3. That these words "Grammar School Reserves," when so used by the writer of the before mentioned pamphlet, are either by inadvertence or intention erroneously represented to be set forth in certain public documents referred to and contained in the Journals of your honourable House.

4. That these words "Grammar School Reserves," so used by the said author, are calculated unjustly and wilfully to prejudice the interests of Upper Canada College by inducing the readers of the pamphlet to believe that in the endowment of Upper Canada College the "Grammar School Reserves" were illegally diverted from their original purpose. These statements I shall now proceed to establish.

In a despatch from His Grace the Duke of Portland, dated 1797, addressed to Mr. President Russell, in reply to a joint address from both Houses of Parliament, it is said that "His Majesty has been pleased to authorize the appropriation of a portion of the waste lands of the Crown for the purposes indicated in the Legislative Address." On referring to the joint address alluded to, the purposes indicated are therein stated to be that "His Majesty would be graciously pleased to direct his Government in this Province to appropriate a certain portion of the waste lands of the Crown as a fund for the establishment and support of a respectable Grammar School in each district thereof, and also of a College or University for the instruction of youth in the different branches of liberal knowledge."

The Province was at that time divided into four districts, and the prayer of the address was, therefore, that a certain portion of the waste lands of the Crown might be appropriated as a fund for the establishment and support of four respectable Grammar Schools, and also a University. This despatch of the Duke of Portland was, in the following year, submitted to the consideration of a Committee of the Executive Council, presided over by Chief Justice Elmsley, and the report concludes thus:—

"I have, therefore, the honour to inform you, that the members of His Majesty's Executive Council, the Judges and Law Officers of the Crown, after much reflection and deliberation on the matter referred to them, are of opinion, first, that an appropriation of