

Appendix
(D. D.)

7th May.

of the same into money securities, and in the use of the capital Endowment or any part thereof, in payment of or in advance for current expenses.

And if Your Excellency should be advised that such alienation, transmutation and application may legally be made without Legislative authority, to pray Your Excellency that the same may take place under the sanction of Collegio Statutes, in which the powers to be exercised and the extent of the property to be affected by them shall be strictly limited and defined.

And if Your Excellency should think fit to propose the sale of any portion of the landed Endowment of the Collegio or the use of any of its capital, that the same may not be used to meet current expenses, but that the latter may be limited and reduced as a matter of actual necessity, instead of the expenditure being considered of necessity to the injury of the Endowment.

With the view of insuring this object Your Excellency's Memorialist moved in the Collegio Council an amendment to the Statutes lately transmitted to Your Excellency respecting the salaries of the Officers, to the effect that these salaries should be paid out of the annual income. This amendment was approved of, and it was agreed that Your Excellency's attention should be called to it in the address lately transmitted to Your Excellency, recommending some trifling additions to the Collegio Statutes. When informed by the President and Bursar that the income would not admit of any additional expenditure, Your Memorialist agreed to the non-increase of the salary of Professor Sullivan, although at the time Your Memorialist expressed and considered that there was not in the establishment an officer so badly remunerated for his services, an opinion which Your Memorialist entertained in common with almost every Member of the Medical Faculty, and upon the same ground Your Excellency's Memorialist opposed an additional allowance to Dr. Beaven.

Your Excellency's Memorialist is aware that on the occasion when the question arose relative to the payment of the Professors' salaries in sterling money of Great Britain, his vote on that occasion exposes him to the charge of inconsistency, and of desiring to increase instead of to lessen expenditure; but Your Excellency's Memorialist had then in view to move a Resolution which would have had the effect of opening the whole question regarding salaries, so that the same might have been placed on a scale in accordance with the actual income of the Institution. Your Excellency's Memorialist had not then, nor has he now, any desire to increase his own salary,—though in the first instance he considered himself entitled to the amount promised him, and in consideration of which he had given up his private practice; and he could not see the justice of reducing the salaries of Professors who were called on to discharge the greatest amount of duty, in order to raise to an equality the salaries of others who were not expected to perform duties to half the amount. But Your Excellency's Memorialist makes no complaint as to himself, his salary being as high as the present income of the Collegio will admit of.

Your Excellency's Memorialist had resolved upon addressing Your Excellency on these subjects previously to the arrival of Your Excellency's late Minute to the Collegio Council, and finding that Your Excellency required information touching some of the subjects to which he was about inviting Your Excellency's attention, he thought it right to inform the Council that he was then preparing a Memorial to Your Excellency respecting matters connected with the University. Your Excellency's Memorialist took this course, fearing that otherwise he might be exposed to unpleasant remarks.

The Bursar having now prepared a statement of the affairs of the Institution by way of answer to Your Excellency's enquiry respecting the protest entered by Your Excellency's Memorialist, Your Memorialist takes leave to append hereto abstracts of the Bursar's returns for the years 1843 and 1844, (*vide* Appendix B.) with a few observations relative to the various items, from which Your Excellency will observe that although the sources of available income have been materially diminished during the last year, the income itself as stated by the Bursar remains the same in both years.

Your Memorialist is at a loss to understand upon what other basis the Bursar should have predicted the income for 1845 than upon the sources specified in his returns, and as the income in each year must bear an exact proportion to the amount of the Endowment, Your Memorialist most humbly apprehends that to exhibit a present income on a diminished Endowment equal to that which was predicted on the larger Endowment of former years, can only be done by trenching upon the capital of the Institution, a system which must ultimately terminate in its ruin.

For these reasons and knowing of no new source of income available to the Collegio, Your Excellency's Memorialist hopes and prays that Your Excellency will take the statement of Your Excellency's Memorialist into consideration, and adopt such measures as will restrain the expenditure of the University within its actual income, let the same be large or small, and as will preserve to futurity what remains of the once munificent Endowments intended to establish and perpetuate a University for the advancement of Learning and Science in Upper Canada.

And Your Excellency's Memorialist, as in duty bound, will ever pray, &c.

(Signed)

Wm. C. GWYNNE.

February 13th, 1845.

APPENDIX A. No. 1.

Resolved, That the opinion of the Attorney and Solicitor be requested on the following points: First. Whether the sales of land (the property of King's Collegio) which have hitherto been made, are valid, the said sales having in most instances been effected by a mere Resolution of the Council and not by Statute emanating from the Chancellor, as the Charter appears to require. Secondly. Whether the Council of King's Collegio is not altogether deprived of the power of alienating the real estate of the University by what are called the restraining Statutes of Elizabeth?

This Resolution was proposed by Your Memorialist at a meeting of the Council held on Friday, 24th January, 1845, but does not appear on the Minutes of that date in consequence of its not having been seconded.

No. 2.

Extracts from the proceedings of Meetings of the Collegio Council held in February, 1843, and in the month of March of the same year.

February, 1843.

PRESENT:

THE LORD BISHOP.
THE VICE CHANCELLOR.
DR. MCCAUL.
MR. ALLAN.
J. S. MACAULAY.
L. P. SHIRWOOD.
H. G. GRASSETT.

The Council resolved that the following scale of rents shall henceforth be observed in granting original Leases for full lots of 200 acres of Collegio Lands, and that on renewal Leases the same scale shall be applied in addition to the rent existing at the termination of the old Lease.

First seven years,.....	£ 5 per annum.
Second do. do.	10 do. do.
Third do. do.	15 do. do.

March 7th, 1843.

PRESENT:

LORD BISHOP.
MR. SMALL.
DR. MCCAUL.
J. S. MACAULAY.
L. P. SHIRWOOD.
H. G. GRASSETT.
DR. WIDMER.

In reference to the scale of rents established by the 13th Minute of the last meeting, it was resolved that in cases where a lot is divided into half lots, the terms shall be for each half lot as follows:

First seven years,.....	£3 per annum.
Second do. do.	6 do. do.
Third do. do.	9 do. do.

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