

Appendix
(D. D.)
7th May.

Appendix
(D. D.)
7th May.

sales had only existed for a week or two,—that the opposition in the Council to these sales had been got rid of by the appointment of a Sub-Committee, by whom they were now exclusively managed, and that upon application to that Committee, Your Memorialist's rights would be at once recognized. Mr. E. Winstanley accordingly made the application thus advised, to the Sub-Committee, who had now resumed the sale of lands to an extent which Your Memorialist believes shewed no diminution from the former operations of the Council. The result of the determination of the Committee was, that although they were daily making sales in cases where no promises had been made, yet as Your Memorialist's claim had already been refused by the Council, to whom it had unfortunately been referred during the short period that the sales had been suspended, it would be improper for the Committee to recognize it without the sanction of the other Members of the College Council. Mr. E. Winstanley, however, received every encouragement to pursue the claim, and certain of the Members of the Committee, among whom were Drs. Beaven and McCaul, distinctly recognized his rights and promised to support Your Memorialist's interests.

Your Memorialist's claim was accordingly again submitted to the Council, from various members of which he received the most direct assurances of its undoubted success; and, relying on these assurances, his building and agricultural operations were continued. To Your Memorialist's great astonishment, however, he received a few weeks since, not an official, but a verbal and indirect intimation, that his right to a conveyance could not be recognized by the Council.

Your Memorialist has since learned, that a sudden stop has been put to the public sale of lands, in consequence of the intervention of Your Excellency as Chancellor of the University. The object which Your Memorialist has presently in view in troubling Your Excellency is not to disturb any arrangements which Your Excellency might see fit to make for the management of the Endowment. On the contrary, Your Memorialist has been apprehensive that the College Council were disposing of a larger portion of the Endowment than the necessities of the University might require; but Your Memorialist cannot permit himself to believe that Your Excellency's Minute to the Council, by which the sales of lands were temporarily suspended, could bear application to a case where all the essentials of a contract (except that of writing) had existed for nearly twelve months anterior to the date of the Minute itself,—and where, on the 6th of that contract, Your Memorialist had purchased an existing lease, and expended large sums of money on improvements from which he could reap scarcely any benefit; still less could Your Memorialist entertain such a belief when he was informed from undoubted sources, that even since the date of Your Excellency's Minute, the College Council have made sales of land to a very considerable extent in other quarters,—to an extent which has forced the conviction on Your Memorialist, that the College Council must have some reason beyond Your Memorialist's knowledge or suspicion, for selecting him as the victim upon whom a refusal to sell would fall with the most unrelenting severity.

Your Memorialist can the less hazard an explanation of the very extraordinary proceedings of the College Council, because he is on excellent terms with the majority of its members, for whom he has always entertained and expressed the most unqualified respect. And in such extraordinary circumstances Your Memorialist is willing, or rather forced to believe that an act of oppression and injustice to a stranger in this country so unprecedented as the one now detailed, could proceed from the members of the College Coun-

cil only under an erroneous apprehension, and under the grossest misrepresentations, on the part of the officials in the Bursar's office, whose conduct throughout has been marked by insincerity and prevarication. Your Memorialist is prepared to establish by unexceptionable testimony the truth of the statements which he has now laid the honor of submitting to Your Excellency; and he respectfully thinks that if the Council have exhibited no clearness in relaxing Your Excellency's Minute in other instances, he may with reason hope that Your Excellency's authority may be extended to place Your Memorialist beyond the influence of an order, which Your Memorialist feels confident was not intended to bear a stringent application to cases similar to his own.

Your Memorialist, therefore, humbly prays that Your Excellency will be pleased to limit the operations of Your Excellency's Minute to the College Council in such manner as to allow of a deed to issue from the Corporation in favour of Your Memorialist on his fulfilling his part of the said contract.

And Your Memorialist will ever pray, as in duty bound.

(Signed,) CHARLES WINSTANLEY,
Clerk, M. A. Oxon.

Toronto, May 13th, 1845.

No. 2. Letter from the Private Secretary to the Registrar of King's College.

GOVERNMENT HOUSE,
Montreal, 20th May, 1845.

SIR,

I am commanded by the Chancellor to request that the accompanying Memorial of the Reverend Charles Winstanley may be brought under the consideration of the President and Council, and that a Report thereon may be furnished for His Excellency's information.

If the case be correctly represented by the Memorialist, and the sale of the lot in question has been stopped in consequence of the Chancellor's recommendation that further sales of land should be suspended, His Lordship is of opinion that under the circumstances stated, Mr. Winstanley ought to be permitted to purchase the lot; which appears to have been the course adopted in other instances when applicants were in treaty for land previously to the Chancellor's views above referred to having been communicated to the Council. It may, however, be presumed that there are other reasons with which His Lordship has not been made acquainted, that have induced the adoption of a different course in the case of Mr. Winstanley.

I am desired by the Chancellor to take this opportunity of inquiring what progress has been made in the investigation suggested by his Minute of the 19th of March last.

I have, &c.

(Signed,) J. M. HIGGINSON.

H. Boys, Esquire,
Bursar, King's College.

Appendix
(D. D.)
7th May.