

ada (section 26), incorporated by Royal Charter or Act of Parliament, should, without further preliminaries or designation, be entitled to the benefits conferred by section 25; and (b) that as to other incorporated or unincorporated "Institutions," whether then existing or subsequently established, only such of them as the Governor should designate, should be entitled to such benefits. Another construction might indicate that only such of the above mentioned colleges and institutions as the Governor should prescribe or designate, should be affiliated to the University and entitled to the benefits of section 26. It must have been under this clause (s. 26) that University College became affiliated to the University, for there is no other provision in the Act which under its affiliation could have been effected.

(3) If the first indicated construction was the proper one to be given to the section, it might have been necessary to consider how it affected the other then existing incorporated colleges in Upper and Lower Canada, by affiliating them to the University; but such consideration is perhaps unnecessary owing to the phraseology of section 45 as to prior applications for affiliation contained in Mr. Crooks' Act of 1873 (36 Vict. c. 29, or R. S. O., (1877), c. 210, s. 61, s-s. 3).

(4) Section 18 of the Act of 1853, or 27 of C. S. U. C., c. 62 prescribed a different procedure for determining from what medical and law schools candidates for degrees in medicine and law should be admitted to the University examinations. The Senate was authorized to select and report or recommend to the Governor such schools; and when its report or recommendation was approved by the Governor, persons who had completed the prescribed course of instruction in such schools became entitled to be admitted to the University examinations. By section 28 such reports as to medical and law schools might from time to time be varied by the Senate with the approval of the Governor, by striking out any of such schools or by adding or recommending others.

(5) Then followed in this latter section the affiliation clause, declaring the relation of such colleges and schools to the University: "And all institutions from which under the three last preceding [25, 26 and 27] sections, students may be examined for degrees, shall be said to be affiliated for that purpose to the University."

III.—(1) The amending Act of 1873, 36 Vict. c. 29, subsequently consolidated with the Act, C. S. U. C. c. 62, above cited, in R. S. O. (1877); c. 210, gave to the affiliated colleges the right to representation on the University Senate (s. 11); re-established convocation, and gave to the graduates in convocation (see sec. 24 of the Act of 1873), "the power of deciding upon the recognition, upon such terms as the Senate shall propose, of the affiliation of any college or school with the said University." The Legislature, however, subsequently altered this by the Act, 40 Vict. c. 16, s. 20, so as to make it read as in R. S. O. c. 210, sec. 64, sub-sec. 4, "the power of discussing upon such terms as the Senate shall propose, the affiliation of any college or school with the said University." By the University Federation Act of 1887 (50 Vict. c. 43, s. 59), this limited power of convocation was repealed.

(2) The Act (R. S. O. c. 210) further provided (s. 61) that the Senate might, by statute in that behalf, with the approval of the Lieutenant-Governor in Council, prescribe that any college, school or other institution established for instruction in the subjects specified in the section, should be "deemed to be affiliated with the said University for the purpose of admitting therefrom as candidates" at the University examinations "such persons as may have respectively completed in such college," etc., the course of instruction prescribed by the Senate.