

of various impediments, the institution was not opened for the admission of students until June 8, 1843. From that date to December 31, 1849, it was conducted under the Royal Charter, as amended by the Provincial statute.

The amended charter, however, was still far from giving satisfaction; the chief grounds of complaint alleged were that, notwithstanding the abolition of the tests required by the original charter, a Faculty of Divinity had been established, a Professor in Divinity appointed, and a College Chapel provided, in which religious services were daily performed, according to the ritual of the Church of England. Difficulties were also occasioned by the existence of rival schools of medicine; and these and other grounds of dissatisfaction continued to interfere with the successful progress of the institution.

It was in 1843 that the important subject of interference, by legislative enactments, with the Charter of King's College was prominently brought before the Parliament of United-Canada. A bill for that object being before the House for its second reading, Mr. Draper was heard at the bar on behalf of the University, and in the very eloquent speech which he delivered on that occasion, may be found almost all that could be said, and has been said since, on that side of the question. We will, therefore, quote a few extracts from the learned gentleman's argument; but will preface them by other extracts from a well written pamphlet published afterwards, at Kingston, wherein the views and motives of his adversaries are clearly defined; so that our readers may have before them in their natural order the two sides of that great educational controversy.

Taking it for granted that King's College in the condition in which it then stood could not be acceptable to any other class of the community, but to the members of the Church of England, the author of the pamphlet inquires in what way the just claims of the majority of the population of Upper Canada, belonging to other religious denominations, should be adjusted—he says:—

“One or other of the following methods may be adopted:

1st. The whole endowment of King's College being left in the hands of its *de facto* possessors, the adherents of the Episcopal Church, endowments on an equal scale may be provided out of the public resources for the remaining three-fourths or four-fifths of the inhabitants of the Province.

Or, 2dly. The endowment of King's College may be divided among the various Religious denominations, in proportion to their numbers, to be applied by them to the endowment of separate Universities for themselves.

In either of these ways, justice, (a desire to do which will surely be disavowed by no party,) may be clumsily done, and clamour may perhaps be allayed. But these ends will be gained by deep injury to the cause of education, and by sowing the certain seed of future convulsions. The evil will have been only thrown forward on the path of time, to prove the misery of other generations.

There are deadly objections common to both of the above mentioned schemes. But there is an objection peculiar to the first—that, namely, of an approximation to impossibility. And yet, let it be observed, that the first-mentioned scheme—the leaving of King's College under the sole and unrestrained control of the Church of England, and the endowing other denominations on an equal scale—is the only method of doing justice to all, which those who uphold things as they are in King's College, can possibly devise or suggest. Let the question then be asked and answered:—Is the Crown or the Legislature prepared to appropriate a Million Currency, or lands of that value, say some two or three millions of acres, for the foundation of separate Universities? The burden of pointing out the sources from which endowment on this scale is to

come lies certainly; in all fairness, on those who demand that King's College shall remain as it is—a Church of England Seminary.

It has indeed been said somewhere, during the agitation of this question, that it is by no means a necessary deduction from the principles of justice applicable to the subject, that the means of University education should be provided for all parties in the Province alike. There is an unfairness of which the writer has no desire to be guilty, in making a most respectable portion of the community—even though the views of those who compose it to be much narrowed and distorted by self interest—responsible for all the insolence and folly vented by every coarse-minded or silly partizan. It is enough to shew that the position and proposals of a party are untenable and impracticable, without assuming that wherever they are maintained or exhibited, they are connected with a want of honorable feeling and principle. And yet we have heard, from quarters entitled to respect, references made on this point to the British Universities, which are admittedly under the direct control, or paramount influence, of the National Churches. But between these venerable Institutions and King's College there is no analogy whatever. The Universities of England and Scotland were placed in connection with the Church Establishments at a time when the whole population of these countries, with hardly an exception, were members of the same Religious community. Those who have since then separated themselves from the National Establishments, have done so with their eyes open, voluntarily abandoning—yea making a merit of abandoning—the benefits of these Institutions, and with a proud confidence in their own powers and a loud avowal of their determination, to provide, by their own unaided efforts, whatever they might require. Nor will any one, even the most tolerant, assert that it was the duty, had it been possible, of the Legislature, by following them with its favours into all the devious paths of sectarianism, to hold out a *premium* on division.—Besides—the property of these Institutions, while in by far the greater number of cases originating not from *public* but *private* sources, has been augmented, in the laps of ages, to tenfold its original amount, by benefactions and bequests bestowed by individuals connected with the Established Churches, and with a direct view to the prosperity of the Universities, as also connected therewith. In neither of these points of view are the cases analogous to that of King's College. That University was founded as the great Seminary of a Province, the population of which, at the time of its foundation, was divided into several great religious sections, one of which, at least, possessed an equal right to any exclusive or peculiar favour with the Church of England. And while endowed with a sufficiency for the University education of the whole country for a century to come—that is, with all the lands then properly available for such a purpose, and—to a large amount—to the extent of half its endowment—with property destined for a different purpose—(a fact repeatedly and unanswerably brought forward by the present Honble. Receiver General of the Province,) it was, on the representation of a single party among the many, secured to its use alone. Nor has the section of the community which thus obtained the exclusive possession of the only public University endowment in Canada West, acquired by any subsequent private benefactions of its members, exceeding the original public donation, a new shew of right to undisturbed enjoyment. We have heard even from its official Advocate, of only £500 worth of books contributed in this way, and of one or two Scholarships, the whole not amounting in value to a tenth of that which has been shewn to have been, during years of inefficiency, wasted and misapplied.

So much for the right of the Episcopal Church in Canada to exclusive endowment for University purposes. If, then, King's College is to remain as it is, under the paramount control of that Church, it is the bounded duty of the party demanding to retain this privilege, to show how it can be permitted to do so without flagrant injustice to others. We have said that the only way in which this can be done is by the endowment, on an equal scale, of other Denominations—that is by the appropriation, for new Universities, of four or five times the endowment of the Toronto University. Is the Legislature, then, prepared for this, the only means of securing the Episcopal Church in undisturbed possession of that which it acquired by stealing a march upon the rest of the community, in selfish disregard of every interest but its own?

But there are objections lying deeper, yet infinitely more important when brought to light, than the enormous pecuniary cost, to the establishment, in Canada West, of separate Universities, by new appropriations—objections which lie equally against the second of the schemes above stated, that, namely, of founding other Seminaries out of the endowment of King's College. Let us first,